

Committee Room,
Austin, Texas, March 9, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 551, "An Act to create the office of State Service Officer, to be attached to the Adjutant General's Department of the State of Texas; providing for his appointment; prescribing his qualifications and duties; fixing his salary; making appropriation for such, together with traveling and incidental expenses, for the fiscal year ending August 31, 1927; prohibiting the charging of fees; providing for official entry into records of eleemosynary and penal institutions; providing all matters and things incidental to the main purpose of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

THIRTY-SEVENTH DAY.

(Friday, March 11, 1927.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker.	Duvall.
Albritton.	Enderby.
Alexander.	Eickenroht.
Anderson.	Farrar.
Avis.	Faulk.
Barnett.	Finlay.
Barron.	Fly.
Bass.	Forbes.
Bateman.	Foster.
Beck.	Fuchs.
Bird.	Gates.
Black.	Gibson.
Boggs.	Gilbert.
Bonham.	Graves.
Boon.	Gray.
Branch.	Hagaman.
Brice.	Hall.
Brown.	Harding.
Conway.	Harman.
Cornwell.	Hesley.
Cox.	High.
Cummings.	Hogg.
Daniel.	Holder.
Davis.	Holland.
DeBerry.	Hornaday.
Denman.	Jacks.
Dielmann.	Johnson.
Dunlap.	Jones.

Kayton.	Runge.
Keeton.	Sanders.
Kemble.	Satterwhite.
Kennedy.	Shaver.
Kenyon.	Shearer.
Kincaid.	Sheats.
King of Hopkins.	Shirley.
King of Throckmorton.	Simmons.
Kirby.	Sinks.
Kirkland.	Smith of Atascosa.
Land.	Smith of El Paso.
Lipscomb.	Smith of Nueces.
Loftin.	Smith of Smith.
Long.	Smyth.
Loy.	Snelgrove.
Masterson.	Stell.
McCombs.	Stevenson.
McGill.	Storey.
Merritt.	Stout.
Minor.	Sutton.
Montgomery.	Swain.
Morse.	Taylor.
Moursund.	Teer.
Murphy.	Tillotson.
Nabors.	Turner.
Nicholson.	Van Zandt.
Olsen.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace
Pearce.	of Freestone.
Petsch.	Wallace of Panola.
Poage.	Wallace of Smith.
Pope.	Ware.
Porter.	Wassell.
Powell.	Webb.
Purl.	Wells.
Ramsey.	Whitaker.
Rawlins.	Williams
Reagan.	of Sabine.
Renfro	Williams
of Angelina.	of Travis.
Renfro of Mills.	Williamson.
Rogers of Hays.	Woodall.
Rogers of Shelby.	Woodruff.
Rowell.	Young.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Justice for today, on motion of Mr. Barron.

The following members were granted leaves of absence on account of sickness:

Mr. McKean for today and tomorrow, on motion of Mr. Rogers of Hays.

Mr. Pool for today on account of death in his family, on motion of Mr. Powell.

RELATING TO WORLD WAR TROPHIES.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 28, Relating to World War trophies.

Whereas, The United States Government has allotted to the various States certain captured German World War trophies to be distributed through the Chief Executive of the various States and Territories; and

Whereas, The State of Texas has never taken proper action to accept such trophies for distribution and the time has been extended to July 1, 1927, for the acceptance of the same; and

Whereas, After July 1, 1927, the funds appropriated by the Federal Government to cover the cost of packing and handling said trophies for shipment will be unavailable and for this reason it is imperative that the State of Texas take action as soon as possible so that shipping instructions may be given in sufficient time to make shipments before June 30, 1927; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That said World War trophies are hereby accepted by the State of Texas, and the Adjutant General, under the direction of the Governor of this State, is hereby instructed to give the necessary information and shipping directions to the Federal authorities in order that said trophies may be shipped to this State and distributed by the Adjutant General under the direction of the Governor; such directions may be given for the shipment of said trophies to points of ultimate distribution or at such places as may be desirable in the opinion of the Adjutant General under the direction of the Governor for distribution later when it shall have been determined where the same should be sent.

The resolution was read second time and was adopted.

INVITING HON. HERBERT HOOVER TO ATTEND CONVENTION OF EAST TEXAS CHAMBER OF COMMERCE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 13, Inviting Hon. Herbert Hoover to attend East Texas Chamber of Commerce convention.

Whereas, The first annual convention of the East Texas Chamber of Commerce will be held at Tyler, Texas, on April 20 and 21; and

Whereas, The Hon. Herbert Hoover, Secretary of the Department of Commerce, of Washington, D. C., has been invited by Mr. R. M. Kelly and other officers of the East Texas Chamber of Commerce to be the guest of the said organization at the annual convention; therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, do hereby urge Hon. Herbert Hoover to attend said convention as he has previously been invited to do; be it further

Resolved, That an engrossed copy of this resolution be sent Mr. Hoover.

Signed—Moore, Pollard, Price, Floyd, Fairchild, Triplett, Real, Greer, Lewis, Love, Holbrook, Westbrook, Hall, Powers.

The resolution was read second time and was adopted.

HOUSE JOINT RESOLUTION NO. 25 WITH SENATE AMENDMENTS.

Mr. Stevenson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. J. R. No. 25, To amend the Constitution by adding thereto a section providing for the division of the sources of income derived from taxation so that there may be a different source of taxation for the maintenance of the State government.

The Speaker laid the resolution before the House and the Senate amendments were read.

On motion of Mr. Stevenson, the House concurred in the Senate amendments by the following vote:

Yeas—118.

Mr. Speaker.
Albritton.
Anderson.
Avis.
Barnett.
Barron.
Bass.
Bateman
Beck.
Bird.
Black.

Boggs.
Bonham.
Branch.
Brice.
Brown.
Conway.
Cornwell.
Cummings.
Daniel.
DeBerry.
Dielmann.

Dunlap.	Petsch.
Duvall.	Poage.
Enderby.	Pope.
Farrar.	Porter.
Faulk.	Powell.
Finlay.	Ramsey.
Fly.	Rawlins.
Forbes.	Renfro
Foster.	of Angelina.
Fuchs.	Rogers of Hays.
Gates.	Rogers of Shelby.
Gibson.	Runge.
Gilbert.	Sanders.
Graves.	Shearer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Hogg.	Smyth.
Holder.	Snelgrove.
Holland.	Stell.
Jacks.	Stevenson.
Johnson.	Storey.
Jones.	Stout.
Kayton.	Sutton.
Keeton.	Swain.
Kemble.	Taylor.
Kennedy.	Teer.
Kincaid.	Tillotson.
King of Hopkins.	Turner.
King of	Van Zandt.
Throckmorton.	Veatch.
Kirby.	Waddell.
Land.	Walker.
Lipscomb.	Wallace
Loftin.	of Freestone.
McGill.	Wallace of Panola.
Merritt.	Wallace of Smith.
Minor.	Ware.
Montgomery.	Webb.
Moursund.	Wells.
Murphy.	Whitaker.
Nabors.	Williams
Nicholson.	of Travis.
Olsen.	Woodall.
Parish of Runnels.	Woodruff.
Parrish of Travis.	Young.
Pavlica.	

Nays—2.

Kirkland. Pearce.

Absent.

Acker.	Kenyon.
Alexander.	Long.
Boon.	Loy.
Cox.	Masterson.
Davis.	McCombs.
Denman.	Morse.
Eickenroht.	Purl.
Harman.	Reagan.
Hornaday.	Renfro of Mills.

Rowell.	Wassell.
Satterwhite.	Williams
Shaver.	of Sabine.
Smith of Atascosa.	Williamson.
Smith of El Paso.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Montgomery, Senate bill No. 449 was ordered not printed.

On motion of Mr. Loftin, Senate bill No. 409 was ordered not printed.

RELATING TO HOUSE BILL NO. 303.

On motion of Mr. Faulk, the Journal was corrected to show that the following amendment to House bill No. 303 was adopted by unanimous consent:

Amend House bill No. 303, by Faulk, by adding in line 11, page —, after the word "therewith" the words "and declaring an emergency." Also add in line 15, page 1, before the word "on" the words and figures "Art. 3135."

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 25.

The Speaker laid before the House, for consideration at this time, the following Conference Committee report:

Committee Room,
Austin, Texas, March 10, 1927.

Hon. Barry Miller, President of the Senate, and Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred

S. B. No. 25, A bill to be entitled "An Act fixing the salaries of judges of the Supreme Court, of the Court of Criminal Appeals, of the judges of the Commission of Appeals, and of the Commission in aid of the Court of Criminal Appeals, and judges of the Courts of Civil Appeals and district courts of this State, and declaring an emergency,"

Have had the same under consideration and beg leave to report that we have adjusted the differences between the House and the Senate on said bill and recommend that the House amendments be concurred in by the Senate and

that said bill be finally passed as amended by the House.

Respectfully submitted,
BLEDSOE,
WITT,
WOODWARD,
PRICE,
STUART,

On the Part of the Senate.

CUMMINGS,
STOREY,
TEER,
FARRAR,
PETSCH,

On the Part of the House.

On motion of Mr. Stevenson, the House adopted the report by the following vote:

Yeas—113.

Mr. Speaker.	Keeton.
Anderson.	Kemble.
Avis.	Kenyon.
Barnett.	Kincaid.
Barron.	King of Hopkins.
Bass.	Kirby.
Bateman.	Kirkland.
Beck.	Land.
Bird.	Lipscomb.
Black.	Loftin.
Boggs.	Long.
Bonham.	McGill.
Boon.	Minor.
Branch.	Montgomery.
Brice.	Morse.
Brown.	Moursund.
Conway.	Murphy.
Cornwell.	Nabors.
Cummings.	Nicholson.
Daniel.	Olsen.
Davis.	Parish of Runnels.
DeBerry.	Pavlica.
Dielmann.	Pearce.
Dunlap.	Petsch.
Enderby.	Poage.
Farrar.	Pope.
Faulk.	Porter.
Fly.	Powell.
Forbes.	Purl.
Foster.	Ramsey.
Fuchs.	Rawlins.
Gibson.	Renfro
Gilbert.	of Angelina.
Graves.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hefley.	Runge.
High.	Sanders.
Hogg.	Shaver.
Holder.	Shearer.
Holland.	Sheats.
Hornaday.	Shirley.
Jacks.	Simmons.
Johnson.	Sinks.
Jones.	Smith of Atascosa.
Kayton.	Smith of Nueces.

Smith of Smith.	Van Zandt.
Smyth.	Veatch.
Snelgrove.	Waddell.
Stell.	Walker.
Stevenson.	Wallace of Smith.
Storey.	Webb.
Stout.	Whitaker.
Sutton.	Williams
Swain.	of Travis.
Taylor.	Woodall.
Teer.	Woodruff.
Tillotson.	Young.
Turner.	

Nays—7.

Albritton.	King of
Finlay.	Throckmorton.
Hall.	Wallace of Panola.
Kennedy.	Ware.

Absent—Excused.

Acker.	Parrish of Travis.
Alexander.	Reagan.
Cox.	Renfro of Mills.
Denman.	Rowell.
Duvall.	Satterwhite.
Eickenroht.	Smith of El Paso.
Gates.	Wallace
Gray.	of Freestone.
Harding.	Wassell.
Harman.	Wells.
Loy.	Williams
Masterson.	of Sabine.
McCombs.	Williamson.
Merritt.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 484 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 484, A bill to be entitled "An Act to amend Title 67, Chapter 3, of the Revised Civil Statutes."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 484 ON THIRD READING.

Mr. Shearer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 484 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	Minor.
Anderson.	Montgomery.
Avis.	Morse.
Barnett.	Moursund.
Barron.	Murphy.
Bass.	Nabors.
Bateman.	Nicholson.
Beck.	Parish of Runnels.
Bird.	Pearce.
Black.	Petsch.
Boggs.	Poage.
Bonham.	Pope.
Boon.	Porter.
Branch.	Purl.
Brice.	Ramsey.
Brown.	Rawlins.
Conway.	Renfro
Cornwell.	of Angelina.
Cummings.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Davis.	Runge.
Dielmann.	Sanders.
Dunlap.	Shaver.
Enderby.	Shearer.
Faulk.	Sheats.
Finlay.	Shirley.
Fly.	Simmons.
Forbes.	Sinks.
Foster.	Smith of Nueces.
Fuchs.	Smyth.
Gibson.	Snelgrove.
Gilbert.	Stell.
Graves.	Stevenson.
Hagaman.	Storey.
Hall.	Stout.
Hefley.	Sutton.
High.	Swain.
Hogg.	Taylor.
Holder.	Teer.
Holland.	Tillotson.
Hornaday.	Turner.
Jacks.	Van Zandt.
Johnson.	Veatch.
Jones.	Walker.
Keeton.	Wallace
Kemble.	of Freestone.
Kenyon.	Wallace of Panola.
Kincaid.	Wallace of Smith.
King of Hopkins.	Ware.
King of	Webb.
Throckmorton.	Whitaker.
Kirkland.	Williams
Land.	of Travis.
Loftin.	Woodall.
Long.	Woodruff.
McGill.	Young.
Merritt.	

Nays—3.

Albritton.	Pavlica.
Olsen.	

Absent.

Acker.	DeBerry.
Alexander.	Denman.
Cox.	Duvall.

Eickenroht.	Powell.
Farrar.	Reagan.
Gates.	Renfro of Mills.
Gray.	Rowell.
Harding.	Satterwhite.
Harman.	Smith of Atascosa.
Kayton.	Smith of El Paso.
Kennedy.	Smith of Smith.
Kirby.	Waddell.
Lipscomb.	Wassell.
Loy.	Wells.
Masterson.	Williams
McCombs.	of Sabine.
Parrish of Travis.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 484 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110.

Mr. Speaker.	Holder.
Albritton.	Holland.
Anderson.	Hornaday.
Avis.	Jacks.
Barnett.	Johnson.
Barron.	Jones.
Bass.	Kemble.
Bateman.	Kennedy.
Beck.	Kenyon.
Bird.	Kincaid.
Black.	King of Hopkins.
Boggs.	King of
Bonham.	Throckmorton.
Boon.	Kirkland.
Branch.	Land.
Brice.	Loftin.
Brown.	Long.
Conway.	Loy.
Cornwell.	McGill.
Cummings.	Merritt.
Daniel.	Minor.
Davis.	Morse.
Dielmann.	Moursund.
Dunlap.	Murphy.
Enderby.	Nabors.
Farrar.	Nicholson.
Faulk.	Olsen.
Finlay.	Parish of Runnels.
Forbes.	Parrish of Travis.
Foster.	Pavlica.
Fuchs.	Pearce.
Gilbert.	Petsch.
Graves.	Poage.
Gray.	Pope.
Hagaman.	Porter.
Hall.	Powell.
Harding.	Purl.
Hefley.	Ramsey.
High.	Rogers of Shelby.
Hogg.	Runge.

Sanders.	Taylor.
Shaver.	Tillotson.
Shearer.	Turner.
Sheats.	Van Zandt.
Shirley.	Veatch.
Simmons.	Walker.
Sinks.	Wallace
Smith of Atascosa.	of Freestone.
Smith of Nueces.	Wallace of Panola.
Smith of Smith.	Wallace of Smith.
Smyth.	Ware.
Snelgrove.	Webb.
Stell.	Whitaker.
Stevenson.	Williams
Storey.	of Travis.
Stout.	Woodall.
Sutton.	Young.

Absent.

Acker.	Rawlins.
Alexander.	Reagan.
Brice.	Renfro
Cox.	of Angelina.
DeBerry.	Renfro of Mills.
Denman.	Rogers of Hays.
Duvall.	Rowell.
Eickenroht.	Satterwhite.
Fly.	Smith of El Paso.
Gates.	Swain.
Gibson.	Teer.
Harman.	Waddell.
Kayton.	Wassell.
Keeton.	Wells.
Kirby.	Williams
Lipscomb.	of Sabine.
Masterson.	Williamson.
McCombs.	Woodruff.
Montgomery.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

RELATING TO HOUSE BILL NO. 550.

On motion of Mr. Smith of Atascosa, the Engrossing Clerk was authorized to make certain corrections in House bill No. 550.

HOUSE BILL NO. 401 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its second reading and passage to engrossment,

H. B. No. 401, A bill to be entitled "An Act authorizing cities which now have, or may hereafter have, 5000 or more inhabitants, in case of condemnation of land for laying out, establishing or enlarging parks, parkways or pleasure grounds, to provide that the cost of such land should be paid for, wholly or in part, by the property owners own-

ing property in the vicinity thereof and benefited thereby, and to fix liens against said property benefited to the extent same is specially benefited, and providing how said benefits may be assessed and collected, and providing how such assessments may be made to mature."

The bill was read second time.

Mr. Holder offered the following amendments to the bill:

(1)

Amend House bill No. 401 by adding at the end of line 23, page 1, the following: "to an extent not exceeding the special benefits received."

(2)

Amend House bill No. 401 by inserting in line 26, page 1, after the word "benefited" the following: "provided, however, no assessments nor liens shall hold against homestead property so designated under existing laws."

The amendments were severally adopted.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 401 so as to apply to cities of 12,000 or more instead of 5000.

The amendment was adopted.

House bill No. 401 was then passed to engrossment.

HOUSE BILL NO. 401 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 401 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Mr. Speaker.	Cornwell.
Acker.	Cummings.
Anderson.	Daniel.
Avis.	Davis.
Barnett.	DeBerry.
Barron.	Duvall.
Bass.	Enderby.
Bateman.	Eickenroht.
Beck.	Faulk.
Bird.	Forbes.
Black.	Foster.
Boggs.	Fuchs.
Bonham.	Gilbert.
Boon.	Graves.
Branch.	Gray.
Brice.	Hagaman.
Brown.	Hall.
Conway.	Harding.

Hefley.	Rogers of Hays.
High.	Rogers of Shelby.
Hogg.	Runge.
Holder.	Sanders.
Hornaday.	Satterwhite.
Jacks.	Shaver.
Johnson.	Sheats.
Jones.	Shirley.
Kayton.	Simmons.
Kemble.	Smith of Nueces.
Kenyon.	Smith of Smith.
Kincaid.	Snelgrove.
King of Hopkins.	Stevenson.
King of Throckmorton.	Sutton.
Kirby.	Swain.
Kirkland.	Taylor.
Long.	Teer.
McGill.	Tillotson.
Merritt.	Turner.
Minor.	Van Zandt.
Morse.	Veatch.
Moursund.	Waddell.
Nabors.	Wallace
Nicholson.	of Freestone.
Parish of Runnels.	Wallace of Panola.
Parrish of Travis.	Wallace of Smith.
Pearce.	Ware.
Petsch.	Wassell.
Pcage.	Whitaker.
Pope.	Williams
Porter.	of Travis.
Powell.	Williamson.
Purl.	Woodall.
Ramsey.	Woodruff.
Rawlins.	Young.

Nays—11.

Albritton.	Renfro
Farrar.	of Angelina.
Kennedy.	Sinks.
Land.	Stell.
Loftin.	Stout.
Pavlica.	Walker.

Absent.

Alexander.	Montgomery.
Cox.	Murphy.
Denman.	Olsen.
Dielmann.	Reagan.
Dunlap.	Renfro of Mills.
Finlay.	Rowell.
Fly.	Shearer.
Gates.	Smith of Atascosa.
Gibson.	Smith of El Paso.
Harman.	Smyth.
Holland.	Storey.
Keeton.	Webb.
Lipscomb.	Wells.
Loy.	Williams
Masterson.	of Sabine.
McCombs.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid House bill No. 401 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—101.

Mr. Speaker.	McGill.
Albritton.	Minor.
Anderson.	Morse.
Avis.	Moursund.
Barnett.	Murphy.
Barron.	Nabors.
Bass.	Parish of Runnels.
Bateman.	Parrish of Travis.
Beck.	Pearce.
Bird.	Petsch.
Black.	Pope.
Boggs.	Porter.
Bonham.	Purl.
Boon.	Ramsey.
Branch.	Rawlins.
Brice.	Rogers of Hays.
Brown.	Rogers of Shelby.
Conway.	Rowell.
Cornwell.	Runge.
Cummings.	Sanders.
Daniel.	Shaver.
Dielmann.	Shearer.
Duvall.	Sheats.
Enderby.	Shirley.
Faulk.	Simmons.
Fly.	Smith of Atascosa.
Forbes.	Smith of Nueces.
Foster.	Smith of Smith.
Fuchs.	Snelgrove.
Gates.	Stell.
Gilbert.	Stevenson.
Graves.	Sutton.
Gray.	Swain.
Hagaman.	Taylor.
Hall.	Teer.
Harding.	Tillotson.
Hefley.	Turner.
Hogg.	Van Zandt.
Holder.	Veatch.
Holland.	Waddell.
Hornaday.	Wallace
Jacks.	of Freestone.
Johnson.	Wallace of Panola.
Jones.	Wallace of Smith.
Kayton.	Ware.
Kemble.	Wassell.
Kenyon.	Whitaker.
Kincaid.	Williamson.
King of Hopkins.	Woodall.
Kirby.	Woodruff.
Lipscomb.	

Nays—15.

Farrar.	Land.
High.	Loftin.
Kennedy.	Long.
King of Throckmorton.	Merritt.
Kirkland.	Pavlica.
	Sinks.

Stout.	Young.
Walker.	
Present—Not Voting.	
DeBerry.	Powell.
Eickenroht.	Renfro
Nicholson.	of Angelina.
Absent.	
Acker.	Olsen.
Alexander.	Poage.
Cox.	Reagan.
Davis.	Renfro of Mills.
Denman.	Satterwhite.
Dunlap.	Smith of El Paso.
Finlay.	Smyth.
Gibson.	Storey.
Harman.	Webb.
Keeton.	Wells.
Loy.	Williams
Masterson.	of Sabine.
McCombs.	Williams
Montgomery.	of Travis.
Absent—Excused.	
Justice.	McKean.
Kinnear.	Pool.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

S. B. No. 479, A bill to be entitled "An Act amending the local road law of Dallas county so as to better provide for construction, reconstruction and repair of dirt roads connecting with the pikes or hard surface roads in said county, etc., and declaring an emergency."

S. B. No. 468, A bill to be entitled "An Act to create a more efficient road system for Shelby county, Texas; providing that the commissioners court shall appoint five highway commissioners, one from each commissioner's precinct and from the county at large; prescribing their powers and duties; providing that all road funds collected within the county may be used by said highway commissioner to maintain and keep in repair the roads within the county, etc., and declaring an emergency."

S. B. No. 469, A bill to be entitled "An Act to fix the salary of the superintendents of public instruction of each county in Texas having a population of not less than 60,000 nor more than 73,000 according to the last Federal cen-

sus; providing for office expenses; repealing all laws and parts of laws in conflict, and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act fixing the maximum fees and excess fees that may be retained by the county attorney of any county having a population of as many as 25,000 and not more than 37,500, in which county there is no city containing over 25,000 inhabitants and such county attorney performs the duties of a district attorney provided by law to perform such duties, and declaring an emergency."

S. B. No. 480, A bill to be entitled "An Act to amend Article 2767, Chapter 13, Title 49, of the Revised Civil Statutes of the State of Texas of 1925, so as to provide for abolishments of independent school districts, etc., and declaring an emergency."

S. B. No. 409, A bill to be entitled "An Act to amend Articles 4401 and 4403 of the Revised Civil Statutes of Texas by providing that the Attorney General shall be authorized and required to attend sales of property under deed of trust, to bid on and buy in and sell said property."

S. B. No. 435, A bill to be entitled "An Act to validate the sale of lot nine, in Block six, town of Snyder, Scurry county, Texas, as shown by the plat of said town on deed records of Scurry county, Texas, which sale was made by R. J. Nesbitt, county judge, to R. F. Powell, September 15, 1884; and to vest fee simple title in R. F. Powell, his heirs and assigns, and declaring an emergency."

S. B. No. 470, A bill to be entitled "An Act to create Road District No. 1 of Van Zandt county, Texas, validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district; validating the authorization, issuance and sale of certain road bonds thereof, and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

S. B. No. 477, A bill to be entitled "An Act creating a special road law for Caldwell county, Texas, requiring surety bonds of road overseers; con-

taining provision that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1927, setting forth the method of said operation, and declaring an emergency."

S. B. No. 436, A bill to be entitled "An Act to amend Article 955 of the Revised Criminal Statutes of 1925 prohibiting the sale of fish taken from fresh water streams of certain named counties, and also providing means and methods of taking and possessing fish from fresh water streams, in said counties by omitting name of the county of Milam from said list of counties, and declaring an emergency."

S. B. No. 476, A bill to be entitled "An Act changing the times of holding the terms of the district court in the Sixty-ninth Judicial District of Texas; enacting necessary provisions in reference to process, writs, bonds, recognizances and in reference to grand and petit jurors, etc., and declaring an emergency."

S. B. No. 304, A bill to be entitled "An Act to authorize the creation of corporations in this State under the general corporation laws for the purpose of owning, raising, selling and leasing animals used in circuses, menageries and zoos, and to buy, lease, own, build, construct, repair and sell wagons, chariots, harnesses, cages and other equipments necessary to and used in the operation of raising and handling animals used in circuses, menageries and zoos, and to own and lease buildings and lands necessary for the raising of such animals and the manufacture of such equipments, and declaring an emergency."

S. B. No. 448, A bill to be entitled "An Act validating the bonds of Cameron County Water Improvement District Number Five, in Cameron county, Texas, in the sum of six hundred thousand dollars, authorized by an election held in said district on the 21st day of December, A. D. 1926, and validating all the acts done and performed by the board of directors and officers, attorneys, agents, servants and employees of said district, etc., and declaring an emergency."

S. B. No. 471, A bill to be entitled "An Act creating, defining and establishing Road District No. 5 in Briscoe county, Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that said district shall be authorized to issue bonds or otherwise lend

its credit for said purpose to an amount not to exceed one-fourth of the assessed valuation of real property situated therein, and levy, assess and collect general ad valorem taxes in payment thereof; providing that said district shall be governed in the issuance of bonds, lending its credit, constructing and maintaining and operating its roads, and all other matters incident thereto by the provisions of the general law, and declaring an emergency."

S. J. R. No. 33, Proposing an amendment to the Constitution removing from the Constitution all limitations as to the amount of compensation of officers.

S. B. No. 467, A bill to be entitled "An Act validating school districts heretofore created under General Laws, Local or Special Acts, validating proceedings in connection with formation of such districts or relative to bonds thereof; validating bonds issued thereby, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. J. R. No. 20, An amendatory act relative to amending the Constitution to exempt from taxation property owned by a church.

S. C. R. No. 31, Relative to adopting a State Song.

S. B. No. 311, "An Act to repeal subdivision 1, Article 3883, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and to amend Article 3900, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, so as to provide that certain officers in counties having a population of twenty-five thousand, or less, inhabitants, according to the last preceding United States census, shall be exempt from the provisions of Articles 3891, 3896 and 3897, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 300, "An Act requiring uniform fire hose couplings and fire hydrant hose outlets in all cities and towns having public fire protection; setting forth specifications for uniform couplings and outlets; providing for carrying on the work of making all couplings and outlets uniform; making appropriation for salaries, traveling expenses necessary for

placing in effect the provisions of this act, and declaring an emergency."

S. B. No. 222, "An Act relative to leasing certain lands in Harris county."

H. B. No. 398, "An Act to provide for the designing, purchase and installation of a memorial tablet in the Texas Memorial Stadium, commemorating the services of Texas men and women who served in the World War; providing for a committee to design, select and install the tablet herein provided for; making an appropriation for all expenses incident thereto, and declaring an emergency."

S. B. No. 447, "An Act to create a court to be known as the County Court of Cameron County at Law; to define the jurisdiction of said court, to fix the terms thereof; to provide the clerk to be appointed by the county clerk of Cameron county; to fix the qualification, bond and salary of the judge and clerk thereof, etc., and declaring an emergency."

S. B. No. 461, "An Act relating to an appointment by board of trustees of Bay City Independent School District of a tax assessor and collector."

H. B. No. 569, "An Act relating to the State Prison System; providing appropriations to pay the outstanding debts of the prison system which are now due or which may mature prior to the first day of September, A. D. 1927; making appropriations for support and maintenance of the prison system until the first day of September, A. D. 1927; providing how moneys shall be paid and become available; enacting provisions relative to moneys now on hand by the prison system; providing that hereafter all moneys received by the prison system shall be placed in the State Treasury to the credit of the general revenue fund, and no money shall be paid out except upon sworn accounts and on warrants drawn by the Comptroller as provided for by general laws of this State in reference to other departments of the State government, and pursuant to appropriations made by the Legislature," etc.

SENATE BILL NO. 228 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 228, A bill to be entitled "An Act to control the flood waters of the Trinity River; declaring that a great public calamity exists in the Trinity

River Valley that requires immediate legislation for the prevention of the loss of lives and property in said county; providing for the voting and authorization of bonds for retarding and controlling the flood waters of the Trinity River; providing a method by which Tarrant County Water Control and Improvement District No. 1 may co-operate with the State of Texas in the construction of flood storage and retarding basins by which and through which the flood waters of the Trinity River will be controlled or retarded, etc., and declaring an emergency."

The bill was read second time.

(Pending passage of the bill to engrossment, Mr. Sutton occupied the chair temporarily.)

CONFERENCE COMMITTEE ON HOUSE BILL NO. 59.

The Speaker announced the appointment of the following Conference Committee on House bill No. 59: Messrs. Satterwhite, Teer, Conway, Montgomery and Hogg.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 304, to the Committee on Municipal and Private Corporations.

Senate joint resolution No. 33, to the Committee on Constitutional Amendments.

Senate bill No. 409, to the Judiciary Committee.

Senate bill No. 435, to the Committee on Public Lands and Buildings.

Senate bill No. 436, to the Committee on Game and Fisheries.

Senate bill No. 411, to the Judiciary Committee.

Senate bill No. 448, to the Committee on Conservation and Reclamation.

Senate bill No. 467, to the Committee on Education.

Senate bill No. 468, to the Committee on Highways and Motor Traffic.

Senate bill No. 469, to the Committee on Education.

Senate bill No. 470, to the Committee on Highways and Motor Traffic.

Senate bill No. 471, to the Committee on Highways and Motor Traffic.

Senate bill No. 476, to the Committee on Judicial Districts.

Senate bill No. 477, to the Committee on Highways and Motor Traffic.

Senate bill No. 479, to the Committee on Highways and Motor Traffic.

Senate bill No. 480, to the Committee on Education.

RECESS.

On motion of Mr. Loftin, the House, at 12:15 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Williamson, the following bills were ordered not printed: Senate bills Nos. 326, 468, 470, 471, 477 and 479.

On motion of Mr. Daniel, Senate bill No. 469 was ordered not printed.

On motion of Mr. Sanders, Senate bill No. 478 was ordered not printed.

On motion of Mr. Hornaday, Senate bill No. 448 was ordered not printed.

On motion of Mr. Teer, Senate bill No. 482 was ordered not printed.

On motion of Mr. Smith of Atascosa, House bill No. 644 was ordered not printed.

On motion of Mr. Holder, Senate bill No. 429 was ordered not printed.

On motion of Mr. Shaver, Senate bill No. 480 was ordered not printed.

On motion of Mr. Holland, Senate bill No. 304 was ordered not printed.

SENATE BILL NO. 482 ON SECOND READING.

On motion of Mr. Teer, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 482, A bill to be entitled "An Act appropriating \$25,000 out of general revenue to supplement mileage and per diem for Fortieth Legislature."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 482 ON THIRD READING.

Mr. Teer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 482 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127.

Mr. Speaker.	Minor.
Acker.	Morse.
Alexander.	Moursund.
Anderson.	Nabors.
Avis.	Nicholson.
Barnett.	Parish of Runnels.
Barron.	Parrish of Travis.
Bass.	Pearce.
Bateman.	Petsch.
Beck.	Pope.
Bird.	Porter.
Boggs.	Powell.
Bonham.	Purl.
Boon.	Ramsey.
Brice.	Rawlins.
Brown.	Reagan.
Conway.	Renfro
Cornwell.	of Angelina.
Cox.	Renfro of Mills.
Cummings.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Davis.	Rowell.
DeBerry.	Runge.
Denman.	Sanders.
Dielmann.	Satterwhite.
Duvall.	Shaver.
Enderby.	Shearer.
Eickenroht.	Sheats.
Farrar.	Shirley.
Faulk.	Simmons.
Finlay.	Sinks.
Fly.	Smith of El Paso.
Forbes.	Smith of Nueces.
Foster.	Smith of Smith.
Gates.	Smyth.
Gibson.	Snelgrove.
Gilbert.	Stevenson.
Graves.	Storey.
Gray.	Stout.
Hagaman.	Sutton.
Hall.	Swain.
Harding.	Taylor.
Hefley.	Teer.
High.	Tillotson.
Hogg.	Turner.
Holder.	Van Zandt.
Holland.	Veatch.
Hornaday.	Waddell.
Jacks.	Walker.
Johnson.	Wallace
Jones.	of Freestone.
Kayton.	Wallace of Panola.
Keeton.	Ware.
Kenyon.	Wassell.
Kincaid.	Webb.
King of Hopkins.	Whitaker.
Kirkland.	Williams
Land.	of Sabine.
Lipscomb.	Williams
Loftin.	of Travis.
Long.	Williamson.
Loy.	Woodall.
McCombs.	Woodruff.
McGill.	Young.
Merritt.	

Nays—4.

Albritton.
Black.Kennedy.
Olsen.

Absent.

Branch.	Montgomery.
Dunlap.	Murphy.
Fuchs.	Pavlica.
Harman.	Poage.
Kemble.	Smith of Atascosa.
King of	Stell.
Throckmorton.	Wallace of Smith.
Kirby.	Wells.
Masterson.	

Absent—Excused.

Justice.
Kinnear.McKean.
Pool.

The Speaker then laid Senate bill No. 482 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118.

Mr. Speaker.	Harding.
Acker.	Hefley.
Alexander.	High.
Anderson.	Hogg.
Avis.	Holder.
Barnett.	Holland.
Barron.	Hornaday.
Bass.	Jacks.
Bateman.	Johnson.
Beck.	Kayton.
Bird.	Keeton.
Black.	Kennedy.
Boggs.	Kincaid.
Bonham.	King of Hopkins.
Boon.	King of
Branch.	Throckmorton.
Conway.	Kirkland.
Cornwell.	Land.
Cox.	Lipscomb.
Cummings.	Loftin.
Davis.	Long.
DeBerry.	Loy.
Denman.	McGill.
Dielmann.	Merritt.
Duvall.	Minor.
Enderby.	Morse.
Farrar.	Moursund.
Faulk.	Murphy.
Finlay.	Nabors.
Fly.	Nicholson.
Forbes.	Olsen.
Foster.	Parish of Runnels.
Gates.	Parrish of Travis.
Gibson.	Pearce.
Gilbert.	Petsch.
Graves.	Pope.
Gray.	Porter.
Hagaman.	Powell.
Hall.	Ramsey.

Rawlins.	Sutton.
Renfro	Taylor.
of Angelina.	Tillotson.
Rogers of Hays.	Turner.
Rogers of Shelby.	Van Zandt.
Rowell.	Veatch.
Runge.	Waddell.
Satterwhite.	Walker.
Shaver.	Wallace of Panola.
Shearer.	Ware.
Sheats.	Wassell.
Shirley.	Webb.
Sinks.	Whitaker.
Smith of El Paso.	Williams
Smith of Nueces.	of Sabine.
Smith of Smith.	Williams
Snelgrove.	of Travis.
Stell.	Woodall.
Stevenson.	Woodruff.
Storey.	Young.
Stout.	

Nays—1.

Albritton.

Present—Not Voting.

Brice.

Absent.

Brown.	Purl.
Daniel.	Reagan.
Dunlap.	Renfro of Mills.
Eickenroht.	Sanders.
Fuchs.	Simmons.
Harman.	Smith of Atascosa.
Jones.	Smyth.
Kemble.	Swain.
Kenyon.	Teer.
Kirby.	Wallace
Masterson.	of Freestone.
McCombs.	Wallace of Smith.
Montgomery.	Wells.
Pavlica.	Williamson.
Poage.	

Absent—Excused.

Justice.
Kinnear.McKean.
Pool.

Reason for Vote.

My reason for voting against Senate No. 482, making supplemental appropriation of \$25,000 to pay the contingent expenses of the Fortieth Legislature, is for the following reason:

When the Thirty-ninth Legislature convened in 1925 there was no money in the State treasury to pay members for their services, and the banks of Austin cashed those warrants without interest to the members. When the Fortieth Legislature met there were sufficient funds to meet all expenses on a cash basis, and the contingent appro-

priation carried an amount of \$50,000 in its contingent appropriation above the appropriation for the same purpose of the Thirty-ninth; and the additional \$25,000 added to the former appropriation of \$175,000 amounts to \$200,000 for the contingent of the Fortieth Legislature.

We had a report a few days ago, a statement to the effect that there was on hand in cash in the treasury of this State more than \$20,000,000. These large appropriations being made by the Fortieth Legislature seems to indicate that the more money we have in the treasury of this State the greater amount becomes necessary to meet the expenses of the Legislature.

ALBRITTON.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 517, A bill to be entitled "An Act to amend Article 2547, Chapter 2, Title 47, Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 516, A bill to be entitled "An Act to amend Article 5525 of the Revised Civil Statutes of the State of Texas, 1925, by providing for the survival of a cause of action for injuries in case of the death of the injured person," with committee substitute.

H. B. No. 71, A bill to be entitled "An Act to amend Chapter 172 of the General Laws of the Regular Session of the Thirty-ninth Legislature, Section 5, page 388, relating to the preservation and propagation of all wild animals, wild birds and wild fowls of this State, and amending Chapter 6 of the Revised Criminal Statutes, Article 878, page 197, relating to division into zones for the time limits as to hunting game; making provisions for a change in boundary from Longview to Lorraine on the Louisiana State line instead of from Longview to Texarkana, and declaring an emergency," with amendments.

H. B. No. 528, A bill to be entitled "An Act authorizing the commissioners court of Jefferson county, Texas to purchase automobiles for the use of the commissioners when acting as road supervisors under appropriate regulations of said court, and providing for the re-

ports thereon to the auditor and limiting the amount to be expended therefor, and providing for the marking of said cars and a penalty for failure to mark, and declaring an emergency."

H. B. No. 585, A bill to be entitled "An Act to amend Article 1422 of the Penal Code of the State of Texas for 1925, so as to provide that the punishment for theft of property of the value of five dollars or under shall be by fine not exceeding two hundred dollars, and declaring an emergency."

H. B. No. 316, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended from time to time, so as to include Fort Bend county," with amendment.

H. B. No. 275, A bill to be entitled "An Act amending Article 1601 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the time within which such applications may be made and elections held to remove county seats in certain instances, and declaring an emergency."

H. B. No. 636, A bill to be entitled "An Act to create Road District No. 7 in Shelby county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating the authorization, issuance and sale of certain bonds thereof dated February 9, 1920, and numbered forty-six to one hundred, inclusive, totaling twenty-seven thousand five hundred (\$27,500) dollars, of five hundred (\$500) dollars each; providing for their payment by the annual levy and assessment of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said designated road district bonds and taxes or certified copies thereof and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

H. B. No. 317, A bill to be entitled "An Act to amend Section 5 and Section 6, of Chapter 37, of the General Laws enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 to 169, of the General Laws of the Regular Session of the State of Texas."

H. B. No. 614, A bill to be entitled "An Act to create a special and more efficient road system for Jasper county,

in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts upon the public roads, bridges and streets; providing for the amount of credit he shall receive for such work, and providing for commutation of sentence of faithful service, and providing for the hiring of county convicts to individuals of the county for either public or private employment; defining the powers and duties of road overseers and placing them directly under the jurisdiction and control of said road commissioners; providing a penalty for the obstruction of driveways or ditches on public roads; providing that said county may assist in financing for improvement and maintenance of streets in cities and incorporated towns in the county, and making this act cumulative of the general laws now in force, and declaring an emergency."

S. J. R. No. 25, Proposing an amendment to the State Constitution so as to authorize the submission to the people of constitutional amendments at special sessions of the Legislature.

S. B. No. 453, A bill to be entitled "An Act providing for preservation and protection of the public free school fund and of the university fund and of the asylum fund, and for recovery by the State of Texas of any and all lands rightfully belonging to the State of Texas or to any of said funds but which are now or may be held in possession of or claimed adversely to the State of Texas or to the fund to which such land belongs, and for recovery and collection of damages and of compensation resulting from or for any illegal taking or removal or cutting or use or destruction or injury or sale or appropriation of any and all minerals or timber or property of any kind out of or from or upon such land; providing that such recoveries and such collections shall be made by the Attorney General by suit or action in court, or otherwise, as he shall deem advisable and expedient in the particular instance, including compromises and settlements, any such compromise and settlement in any such suit or action to be by and with the approval of the court wherein such suit or action then may be pending, and that such compromise settlement involving such land, whether made during pendency of such suit or otherwise, may include acqui-

sition thereby, by such adverse holders or claimants of such land, or any of them, of mineral privileges, rights and leases in and on such land, or any portion or portions thereof, of such kinds as may be obtainable, otherwise, under then existing laws; imposing and conferring upon the Attorney General and the Commissioner of the General Land Office certain duties and powers, and imposing upon county attorneys certain duties and providing for their compensation, in the premises; providing that all applicable provisions of this act shall extend and apply to any and all lands and to any and all claims for damages and to any and all claims for compensation that are or may be involved in any now pending suit or action wherein the State of Texas is a party litigant and is or shall be represented by the Attorney General; fixing venue of such suits and actions which may be filed or instituted by the Attorney General; repealing Article 5421 of the Revised Civil Statutes of the State of Texas, and declaring an emergency."

S. C. R. No. 34, Recalling Senate bill No. 398 from Governor's office for further consideration.

S. B. No. 481, A bill to be entitled "An Act amending Section 3, Chapter 16, General Laws, passed by the Thirty-ninth Legislature at its First Called Session, by adding thereto Section 3a, providing that any road district, a portion of which is proposed to be incorporated into a new road district, should embrace the whole or any part of any levee improvement district, drainage district created under any law passed pursuant to Section 52, Article 3, of the Constitution of this State, the territory covered by such district and other territory adjacent thereto may be excluded from the district sought to be created, but except as herein specifically permitted, no fractional part of a previously created road district shall be included within the limits of the road district created under the provision of this act, and such excluded territory shall continue to bear and pay its proper proportion of any existing debt created for the construction of macadamized, graveled or paved roads and turnpikes or in aid thereof, but shall not pay any portion of any debt created for said purpose after such territory is excluded from the district, and declaring an emergency."

H. B. No. 93, A bill to be entitled

"An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas, 1925, providing additional purposes for which corporations may be formed under the laws of Texas under what shall be known as 'Title and Trust Companies'; providing said corporations may incorporate for one or more of the purposes stated, and that no corporation incorporated under this section shall be incorporated for less than one hundred thousand dollars, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

(Mr. Conway in the chair.)

HOUSE BILL NO. 71 WITH SENATE AMENDMENTS.

Mr. Woodall called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 71, An amendatory act relating to the preservation and propagation of all wild animals, wild birds and wild fowl of this State.

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Woodall, the House concurred in the Senate amendments by the following vote:

Yeas—105.

Albritton.	Hagaman.
Alexander.	Hall.
Avis.	Harding.
Barnett.	Harman.
Barron.	Hefley.
Bateman.	High.
Bird.	Hogg.
Black.	Holder.
Boggs.	Holland.
Bonham.	Jacks.
Boon.	Jones.
Brice.	Kayton.
Brown.	Kemble.
Conway.	Kennedy.
Cornwell.	Kenyon.
Cox.	Kincaid.
Daniel.	King of Hopkins.
DeBerry.	Kirby.
Duvall.	Kirkland.
Enderby.	Land.
Eickenroht.	Lipscomb.
Farrar.	Long.
Faulk.	Loy.
Finlay.	Masterson.
Forbes.	Merritt.
Fuchs.	Minor.
Gates.	Morse.
Gray.	Moursund.

Murphy.	Smith of Nueces.
Nabors.	Smith of Smith.
Nicholson.	Snelgrove.
Olsen.	Stell.
Parish of Runnels.	Storey.
Parrish of Travis.	Stout.
Pearce.	Sutton.
Petsch.	Swain.
Pope.	Taylor.
Porter.	Tillotson.
Powell.	Turner.
Purl.	Veatch.
Ramsey.	Waddell.
Rawlins.	Walker.
Reagan.	Wallace
Renfro of Mills.	of Freestone.
Rogers of Hays.	Wallace of Smith.
Rogers of Shelby.	Wallace of Panola.
Rowell.	Ware.
Runge.	Wassell.
Sanders.	Webb.
Satterwhite.	Whitaker.
Shearer.	Williams
Sheats.	of Sabine.
Shirley.	Woodall.
Sinks.	Young.
Smith of El Paso.	

Present—Not Voting.

Keeton.

Absent.

Acker.	McCombs.
Anderson.	McGill.
Bass.	Montgomery.
Beck.	Pavlica.
Branch.	Poage.
Cummings.	Renfro
Davis.	of Angelina.
Denman.	Shaver.
Dielmann.	Simmons.
Dunlap.	Smith of Atascosa.
Fly.	Smyth.
Foster.	Stevenson.
Gibson.	Teer.
Gilbert.	Van Zandt.
Graves.	Wells.
Hornaday.	Williams
Johnson.	of Travis.
King of	Williamson.
Throckmorton.	Woodruff.
Loftin.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

HOUSE BILL NO. 517 WITH SENATE AMENDMENTS.

Mr. Powell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 517, A bill to be entitled "An Act to amend Article 2547, Chapter 2, Title 47, Revised Civil Statutes of 1925, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Powell, the House concurred in the Senate amendments by the following vote:

Yeas—104.

Acker.	Morse.
Albritton.	Moursund.
Avis.	Murphy.
Barnett.	Nabors.
Barron.	Nicholson.
Bateman.	Olsen.
Beck.	Parrish of Travis.
Bird.	Pearce.
Black.	Pope.
Boggs.	Porter.
Bonham.	Powell.
Boon.	Ramsey.
Brice.	Rawlins.
Conway.	Reagan.
Cornwell.	Renfro of Mills.
Cox.	Rogers of Hays.
Daniel.	Rogers of Shelby.
DeBerry.	Rowell.
Dielmann.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Eickenroht.	Shearer.
Farrar.	Sheats.
Faulk.	Shirley.
Finlay.	Sinks.
Forbes.	Smith of El Paso.
Fuchs.	Smith of Nueces.
Gates.	Smith of Smith.
Gray.	Snelgrove.
Hagaman.	Stell.
Hall.	Storey.
Hefley.	Stout.
High.	Sutton.
Hogg.	Taylor.
Holder.	Teer.
Holland.	Tillotson.
Jacks.	Turner.
Kayton.	Van Zandt.
Keeton.	Veatch.
Kemble.	Waddell.
Kennedy.	Walker.
Kenyon.	Wallace
Kincaid.	of Freestone.
King of Hopkins.	Wallace of Panola.
Kirby.	Wallace of Smith.
Kirkland.	Ware.
Land.	Wassell.
Lipscomb.	Webb.
Long.	Whitaker.
Loy.	Williams
Masterson.	of Travis.
Merritt.	Woodall.
Minor.	Young.

Absent.

Alexander.	Bass.
Anderson.	Branch.

Brown.	Montgomery.
Cummings.	Parish of Runnels.
Davis.	Pavlica.
Denman.	Petsch.
Dunlap.	Poage.
Fly.	Purl.
Foster.	Renfro
Gibson.	of Angelina.
Gilbert.	Shaver.
Graves.	Simmons.
Harding.	Smith of Atascosa.
Harman.	Smyth.
Hornaday.	Stevenson.
Johnson.	Swain.
Jones.	Wells.
King of	Williams
Throckmorton.	of Sabine.
Loftin.	Williamson.
McCombs.	Woodruff.
McGill.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

HOUSE BILL NO. 516 WITH SENATE AMENDMENTS.

Mr. Bonham called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 516, A bill to be entitled "An Act to amend Article 5525 of the Revised Civil Statutes of the State of Texas, 1925, by providing for the survival of a cause of action for injuries in case of the death of the injured person."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Bonham, the House concurred in the Senate amendments by the following vote:

Yeas—104.

Albritton.	Enderby.
Anderson.	Eickenroht.
Avis.	Farrar.
Barnett.	Faulk.
Barron.	Finlay.
Bateman.	Fly.
Black.	Forbes.
Boggs.	Gates.
Bonham.	Hagaman.
Boon.	Hall.
Branch.	Harding.
Brice.	High.
Conway.	Hogg.
Cornwell.	Holland.
Cox.	Jacks.
Daniel.	Kayton.
Davis.	Keeton.
DeBerry.	Kemble.
Dielmann.	Kennedy.
Duvall.	Kenyon.

Kincaid.	Shirley.
King of Hopkins.	Simmons.
Lipscomb.	Sinks.
Long.	Smith of Atascosa.
Loy.	Smith of El Paso.
Masterson.	Smith of Nueces.
McGill.	Smith of Smith.
Merritt.	Smyth.
Minor.	Snelgrove.
Morse.	Storey.
Murphy.	Stout.
Nabors.	Sutton.
Nicholson.	Taylor.
Olsen.	Teer.
Parish of Runnels.	Tillotson.
Parrish of Travis.	Turner.
Pearce.	Van Zandt.
Petsch.	Veatch.
Pope.	Waquell.
Porter.	Walker.
Powell.	Wallace.
Purl.	of Freestone.
Ramsey.	Wallace of Panola.
Rawlins.	Ware.
Renfro.	Wassell.
of Angelina.	Webb.
Renfro of Mills.	Whitaker.
Rogers of Hays.	Williams.
Rogers of Shelby.	of Sabine.
Rowell.	Williams.
Runge.	of Travis.
Sanders.	Williamson.
Shearer.	Woodall.
Sheats.	Young.

Nays—2.

Gray. Wallace of Smith.

Absent.

Acker.	King of
Alexander.	Throckmorton.
Bass.	Kirby.
Beck.	Kirkland.
Bird.	Land.
Brown.	Loftin.
Cummings.	McCombs.
Denman.	Montgomery.
Dunlap.	Moursund.
Foster.	Pavlica.
Fuchs.	Poage.
Gibson.	Reagan.
Gilbert.	Satterwhite.
Graves.	Shaver.
Harman.	Stell.
Hefley.	Stevenson.
Holder.	Swain.
Hornaday.	Wells.
Johnson.	Woodruff.
Jones.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

(Speaker in the chair.)

HOUSE BILL NO. 93 WITH SENATE AMENDMENTS.

Mr. Montgomery called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 93, An amendatory act relative to providing additional purposes for which corporations may be formed under the laws of Texas under what shall be known as "Title and Trust Co."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Montgomery, the House concurred in the Senate amendments by the following vote:

Yeas—106.

Mr. Speaker.	Kemble.
Acker.	Kennedy.
Albritton.	Kincaid.
Avis.	King of Hopkins.
Barnett.	Kirby.
Barron.	Kirkland.
Bateman.	Land.
Bird.	Lipscomb.
Black.	Loftin.
Boggs.	McCombs.
Bonham.	McGill.
Boon.	Minor.
Branch.	Montgomery.
Conway.	Morse.
Cornwell.	Moursund.
Cox.	Murphy.
Cummings.	Olsen.
Daniel.	Parish of Runnels.
DeBerry.	Parrish of Travis.
Dielmann.	Pavlica.
Dunlap.	Pearce.
Enderby.	Petsch.
Farrar.	Poage.
Faulk.	Pope.
Finlay.	Porter.
Forbes.	Powell.
Gates.	Purl.
Gibson.	Ramsey.
Gilbert.	Rawlins.
Graves.	Renfro of Mills.
Gray.	Rogers of Shelby.
Hagaman.	Runge.
Hall.	Sanders.
Harding.	Shaver.
Harman.	Shearer.
Hefley.	Sheats.
High.	Simmons.
Hogg.	Sinks.
Holder.	Smith of Atascosa.
Holland.	Smith of Nueces.
Hornaday.	Snelgrove.
Jacks.	Stevenson.
Jones.	Storey.
Kayton.	Stout.
Keeton.	Sutton.

Teer.	Wassell.
Tillotson.	Webb.
Turner.	Wells.
Van Zandt.	Williams
Walker.	of Sabine.
Wallace	Williams
of Freestone.	of Travis.
Wallace of Panola.	Woodall.
Wallace of Smith.	Woodruff.
Ware.	

Absent.

Alexander.	Nabors.
Anderson.	Nicholson.
Bass.	Reagan.
Beck.	Renfro
Brice.	of Angelina.
Brown.	Rogers of Hays.
Davis.	Rowell.
Denman.	Satterwhite.
Duvall.	Shirley.
Eickenroht.	Smith of El Paso.
Fly.	Smith of Smith.
Foster.	Smyth.
Fuchs.	Stell.
Johnson.	Swain.
Kenyon.	Taylor.
King of	Veatch.
Throckmorton.	Waddell.
Long.	Whitaker.
Loy.	Williamson.
Masterson.	Young.
Merritt.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

RECALLING SENATE BILL NO. 398 FROM GOVERNOR.

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 34, Recalling Senate bill No. 398 from the Governor.

Whereas, Senate bill No. 398 has finally passed the Senate and the House and is now on the Governor's desk for his approval; and

Whereas, There is an error in said bill; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, That said Senate bill No. 398 be recalled from the Governor's office for further consideration and correction.

The resolution was read second time and was adopted.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice

thereof and their captions had been read severally, the following enrolled bills and resolutions:

S. B. No. 25, "An Act fixing the salaries of judges of the Supreme Court, of the Court of Criminal Appeals, of the judges of the Commission of Appeals and of the commission in aid of the Court of Criminal Appeals, and of judges of the Courts of Civil Appeals and district courts of this State, and declaring an emergency."

S. B. No. 484, "An Act to amend Title 67, Chapter 3, of the Revised Civil Statutes."

S. B. No. 398, "An Act to amend Article 816, Chapter 1, Title 39, Revised Civil Statutes, 1925, and declaring an emergency."

S. B. No. 482, "An Act appropriating \$25,000 out of general revenue to supplement mileage and per diem for Fortieth Legislature."

S. B. No. 285, "An Act to amend Article 1025 of the Code of Criminal Procedure of 1925, fixing the fees of county and district attorneys, and declaring an emergency."

H. B. No. 275, "An Act amending Article 1601 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the time within which such applications may be made and elections held to remove county seats in certain instances, and declaring an emergency."

H. B. No. 585, "An Act to amend Article 1422 of the Penal Code of the State of Texas for 1925, so as to provide that the punishment for theft of property of the value of five dollars or under shall be by fine not exceeding two hundred dollars, and declaring an emergency."

H. B. No. 317, "An Act to amend Section 5 and Section 6, of Chapter 37, of the General Laws enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 to 169, of the General Laws of the Regular Session of the State of Texas."

H. B. No. 528, "An Act authorizing the commissioners court of Jefferson county, Texas, to purchase automobiles for the use of the commissioners when acting as road supervisors under appropriate regulations of said court, and providing for the reports thereon to the auditor and limiting the amount to be expended therefor, and providing for the marking of said cars and a penalty for failure to mark, and declaring an emergency."

H. B. No. 614, "An Act to create a

special and more efficient road system for Jasper county, in the State of Texas, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts upon the public roads, bridges and streets; providing for the amount of credit he shall receive for such work and providing for commutation of sentences of faithful service and providing for the hiring of county convicts to individuals of the county for either public or private employment; defining the powers and duties of road overseers and placing them directly under the jurisdiction and control of said road commissioners; providing a penalty for the obstruction of driveways or ditches on public roads; providing that said county may assist in financing for improvement and maintenance of streets in cities and incorporated towns in the county and making this act cumulative of the general laws now in force, and declaring an emergency."

H. J. R. No. 25, To amend Article 8 of the Constitution by adding thereto Section 1a, providing that the sources of income derived from taxation may be divided, in whole or in part, so that there may be a different source of taxation for the maintenance of the State government and the maintenance and expenses of the political divisions of the State; also that there may be different rates of taxation and different classes of property; also that the State may make provision for the payment of interest and sinking fund charges on bonds where taxes have been remitted to pay such charges and where such remission of taxes may become insufficient to meet such charges, with amendments.

S. C. R. No. 34, Recalling Senate bill No. 398 from the Governor.

S. C. R. No. 28, Relating to World War trophies.

SENATE BILL NO. 228 ON PASSAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 228, relative to the remission of taxes in certain counties, on its passage to third reading, the bill having heretofore been read second time.

Question—Shall the bill be passed to third reading?

BILLS ORDERED NOT PRINTED.

On motion of Mr. Smith of Atascosa,

House bill No. 640 was ordered not printed.

On motion of Mr. Hefley, Senate bill No. 436 was ordered not printed.

HOUSE BILL NO. 316 WITH SENATE AMENDMENTS.

Mr. Waddell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 316, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended from time to time, so as to include Fort Bend county."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Waddell, the House concurred in the Senate amendments by the following vote:

Yeas—110.

Mr. Speaker.	Keeton.
Acker.	Kennedy.
Albritton.	Kenyon.
Alexander.	Kincaid.
Anderson.	King of Hopkins.
Avis.	King of
Barnett.	Throckmorton.
Bird.	Kirby.
Black.	Kirkland.
Boggs.	Land.
Bonham.	Lipscomb.
Boon.	Loftin.
Branch.	Loy.
Brice.	McCombs.
Conway.	McGill.
Cornwell.	Merritt.
Cox.	Minor.
Daniel.	Montgomery.
DeBerry.	Moursund.
Eickenroht.	Murphy.
Farrar.	Nabors.
Faulk.	Nicholson.
Fly.	Olsen.
Forbes.	Parish of Runnels.
Foster.	Parrish of Travis.
Gates.	Pavlica.
Gibson.	Pearce.
Graves.	Pope.
Gray.	Porter.
Hagaman.	Ramsey.
Hall.	Rawlins.
Harding.	Reagan.
Harman.	Renfro
Hefley.	of Angelina.
High.	Renfro of Mills.
Hogg.	Rogers of Hays.
Holder.	Rogers of Shelby.
Holland.	Rowell.
Jacks.	Runge.
Johnson.	Sanders.

Satterwhite.	Van Zandt.
Shearer.	Waddell.
Sheats.	Walker.
Shirley.	Wallace of Panola.
Simmons.	Wallace of Smith.
Sinks.	Ware.
Smith of El Paso.	Wassell.
Smith of Nueces.	Webb.
Smith of Smith.	Wells.
Smyth.	Whitaker.
Snelgrove.	Williams
Stevenson.	of Sabine.
Storey.	Williams
Stout.	of Travis.
Sutton.	Woodall.
Turner.	Young.

Absent.

Barron.	Long.
Bass.	Masterson.
Bateman.	Morse.
Beck.	Petsch.
Brown.	Poage.
Cummings.	Powell.
Davis.	Purl.
Denman.	Shaver.
Dielmann.	Smith of Atascosa.
Dunlap.	Stell.
Duvall.	Swain.
Enderby.	Taylor.
Finlay.	Teer.
Fuchs.	Tillotson.
Gilbert.	Veatch.
Hornaday.	Wallace
Jones.	of Freestone.
Kayton.	Williamson.
Kemble.	Woodruff.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

RELATING TO HOUSE BILL NO. 653.

The Speaker laid before the House, as unfinished business, the motion by Mr. Van Zandt to reconsider the vote by which House bill No. 653 was finally passed, with motion by Mr. Rogers of Hays to table the motion to reconsider, pending.

Question recurring on the motion to table, it prevailed.

SENATE BILL NO. 147 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 147, A bill to be entitled "An Act relative to changing the number of the Board of Regents from six to nine members."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 147 ON THIRD READING.

Mr. Minor moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 147 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Mr. Speaker.	Land.
Acker.	Loy.
Alexander.	McCombs.
Anderson.	McGill.
Barnett.	Minor.
Bateman.	Montgomery.
Bird.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Bonham.	Nicholson.
Boon.	Parish of Runnels.
Branch.	Parrish of Travis.
Brice.	Pavlica.
Conway.	Pearce.
Cornwell.	Petsch.
Cox.	Poage.
Daniel.	Pope.
Davis.	Porter.
DeBerry.	Powell.
Duvall.	Purl.
Enderby.	Ramsey.
Eickenroht.	Rawlins.
Farrar.	Renfro of Mills.
Faulk.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Rowell.
Foster.	Runge.
Gates.	Sanders.
Gibson.	Satterwhite.
Graves.	Shaver.
Gray.	Shearer.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Hogg.	Smith of Smith.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson.	Stout.
Jones.	Sutton.
Keeton.	Taylor.
Kemble.	Tillotson.
Kenyon.	Turner.
King of Hopkins.	Van Zandt.
King of	Veatch.
Throckmorton.	Waddell.
Kirby.	Walker.
Kirkland.	

Wallace of Freestone.	Whitaker.
Wallace of Panola.	Williams of Sabine.
Wallace of Smith.	Williams of Travis.
Ware.	Woodall.
Wassell.	Woodruff.
Webb.	Young.
Wells.	

Nays—7.

Albritton.	Kincaid.
Avis.	Merritt.
Finlay.	Swain.
Kennedy.	

Absent.

Barron.	Loftin.
Bass.	Long.
Beck.	Masterson.
Brown.	Morse.
Cummings.	Olsen.
Denman.	Reagan.
Dielmann.	Renfro
Dunlap.	of Angelina.
Fuchs.	Sheats.
Gilbert.	Smith of Atascosa.
Harman.	Stell.
Kayton.	Teer.
Lipscomb.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 147 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109.

Mr. Speaker.	Eickenroht.
Acker.	Faulk.
Albritton.	Fly.
Alexander.	Forbes.
Anderson.	Foster.
Avis.	Graves.
Barnett.	Gray.
Bateman.	Hagaman.
Bird.	Hall.
Black.	Harding.
Boggs.	Hefley.
Bonham.	High.
Boon.	Hogg.
Branch.	Holder.
Brice.	Holland.
Brown.	Hornaday.
Conway.	Jacks.
Cornwell.	Johnson.
Cox.	Jones.
Daniel.	Keeton.
Davis.	Kemble.
DeBerry.	Kenyon.
Duvall.	Kincaid.
Enderby.	King of Hopkins.

King of Throckmorton.	Shearer.
Kirby.	Sheats.
Kirkland.	Simmons.
Land.	Sinks.
Lipscomb.	Smith of El Paso.
Loy.	Smith of Nueces.
McCombs.	Smith of Smith.
McGill.	Smyth.
Minor.	Stevenson.
Montgomery.	Storey.
Moursund.	Sutton.
Murphy.	Taylor.
Nabors.	Tillotson.
Nicholson.	Turner.
Parish of Runnels.	Van Zandt.
Parrish of Travis.	Veatch.
Pavlica.	Waddell.
Pearce.	Wallace of Freestone.
Petsch.	Wallace of Panola.
Poage.	Wallace of Smith.
Pope.	Ware.
Porter.	Wassell.
Purl.	Webb.
Ramsey.	Wells.
Rawlins.	Whitaker.
Renfro of Mills.	Williams
Rogers of Hays.	of Sabine.
Rogers of Shelby.	Williams
Runge.	of Travis.
Sanders.	Woodruff.
Satterwhite.	Young.
Shaver.	

Nays—6.

Finlay.	Snelgrove.
Kennedy.	Walker.
Merritt.	Woodall.

Absent.

Barron.	Masterson.
Bass.	Morse.
Beck.	Olsen.
Cummings.	Powell.
Denman.	Reagan.
Dielmann.	Renfro
Dunlap.	of Angelina.
Farrar.	Rowell.
Fuchs.	Shirley.
Gates.	Smith of Atascosa.
Gibson.	Stell.
Gilbert.	Stout.
Harman.	Swain.
Kayton.	Teer.
Loftin.	Williamson.
Long.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 470 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 470, A bill to be entitled "An Act creating Road District No. 1 in Van Zandt county, Texas."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 470 ON THIRD READING.

Mr. High moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	McCombs.
Acker.	McGill.
Alexander.	Merritt.
Anderson.	Minor.
Avis.	Montgomery.
Barnett.	Moursund.
Bateman.	Murphy.
Bird.	Nabors.
Black.	Nicholson.
Boggs.	Parish of Runnels.
Boon.	Parrish of Travis.
Branch.	Pavlica.
Brice.	Pearce.
Conway.	Poage.
Cornwell.	Pope.
Cox.	Porter.
Daniel.	Purl.
Davis.	Ramsey.
DeBerry.	Renfro
Duvall.	of Angelina.
Enderby.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Faulk.	Runge.
Finlay.	Sanders.
Forbes.	Satterwhite.
Gates.	Shaver.
Graves.	Shearer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Hogg.	Smith of Smith.
Holder.	Smyth.
Holland.	Stevenson.
Hornaday.	Storey.
Johnson.	Sutton.
Jones.	Taylor.
Kayton.	Tillotson.
Keeton.	Turner.
Kemble.	Van Zandt.
Kenyon.	Veatch.
Kincaid.	Waddell.
Kirby.	Walker.
Kirkland.	Wallace
Land.	of Freestone.
Loy.	Wallace of Smith.

Ware.
Webb.
Wells.
Whitaker.
Williams
of Sabine.

Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—2.

Albritton.

Kennedy.

Absent.

Barron.
Bass.
Beck.
Bonham.
Brown.
Cummings.
Denman.
Dielmann.
Dunlap.
Fly.
Foster.
Fuchs.
Gibson.
Gilbert.
Harman.
Jacks.
King of Hopkins.
King of
Throckmorton.
Lipscomb.

Loftin.
Long.
Masterson.
Morse.
Olsen.
Petsch.
Powell.
Rawlins.
Reagan.
Rowell.
Smith of Atascosa.
Snelgrove.
Stell.
Stout.
Swain.
Teer.
Wallace of Panola.
Wassell.
Williamson.

Absent—Excused.

Justice.
Kinnear.

McKean.
Pool.

The Speaker then laid Senate bill No. 470 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110.

Mr. Speaker.
Acker.
Albritton.
Alexander.
Avis.
Barnett.
Bateman.
Bird.
Black.
Boggs.
Boon.
Branch.
Brice.
Conway.
Cornwell.
Cox.
Daniel.
Davis.
DeBerry.
Dielmann.
Duvall.

Enderby.
Eickenroht.
Farrar.
Faulk.
Finlay.
Forbes.
Gates.
Graves.
Gray.
Hall.
Harding.
High.
Hogg.
Holder.
Holland.
Hornaday.
Jacks.
Johnson.
Jones.
Kayton.
Keeton.

Kemble.	Shaver.
Kennedy.	Shearer.
Kenyon.	Sheats.
Kincaid.	Shirley.
King of Hopkins.	Simmons.
Kirby.	Sinks.
Kirkland.	Smith of El Paso.
Land.	Smith of Nueces.
Loy.	Smith of Smith.
Masterson.	Smyth.
McCombs.	Snelgrove.
McGill.	Stevenson.
Merritt.	Storey.
Minor.	Sutton.
Montgomery.	Taylor.
Moursund.	Tillotson.
Murphy.	Turner.
Nabors.	Van Zandt.
Nicholson.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace
Pearce.	of Freestone.
Poage.	Wallace of Smith.
Pope.	Ware.
Porter.	Wassell.
Purl.	Webb.
Ramsey.	Wells.
Reagan.	Whitaker.
Renfro of Mills.	Williams
Rogers of Hays.	of Sabine.
Rogers of Shelby.	Woodall.
Runge.	Woodruff.
Sanders.	Young.
Satterwhite.	

Present—Not Voting.

Fly.

Absent.

Anderson.	Loftin.
Barron.	Long.
Bass.	Morse.
Beck.	Olsen.
Bonham.	Petsch.
Brown.	Powell.
Cummings.	Rawlins.
Denman.	Renfro
Dunlap.	of Angelina.
Foster.	Rowell.
Fuchs.	Smith of Atascosa.
Gibson.	Stell.
Gilbert.	Stout.
Hagaman.	Swain.
Harman.	Teer.
Hefley.	Wallace of Panola.
King of	Williams
Throckmorton.	of Travis.
Lipscomb.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 11, 1927.Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.Sir: I am directed by the Senate to
inform the House that the Senate has
passedS. B. No. 398, A bill to be entitled
"An Act to amend Article 816, Chap-
ter 1, Title 39, Revised Civil Statutes,
1925, and declaring an emergency."The Senate reconsidered the vote by
which bill finally passed, and bill was
amended and passed finally.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 644 ON SECOND
READING.The Speaker laid before the House,
on its second reading and passage to en-
grossment,H. B. No. 644, A bill to be entitled
"An Act to ratify, approve, confirm and
declare enforceable all levies and assess-
ments and ad valorem taxes heretofore
made by the governing body of the town
of Pleasanton, in Atascosa county,
Texas, which are unenforceable because
same were made or adopted by resolu-
tion, motion or other informal action of
order instead of by ordinance, and of all
assessments of taxes or assessments of
property within the limits of said town
for taxation which are insufficient be-
cause of technical irregularities in the
manner of preparing the books and re-
ports thereof, and of all equalizations of
such property for taxation purposes by
boards of equalization acting for said
town or its council which are insuffi-
cient because such equalization or reports
thereof were made orally or in incom-
plete form, and declaring an emergency."

The bill was read second time.

Mr. Smith of Atascosa offered the fol-
lowing (committee) amendments to the
bill:Amend the caption by adding after
the word "Texas," and before the word
"which," in line 4, the following: "Not
in excess of the limit now provided by
law."Amend the bill by adding between the
word "Texas" and the word "and," in
Section 1, line 3, the words "not in ex-
cess of the limit now provided by law."The amendments were severally
adopted.House bill No. 644 was then passed to
engrossment.

HOUSE BILL NO. 644 ON THIRD
READING.

Mr. Smith of Atascosa moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 644 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Mr. Speaker.	Montgomery.
Alexander.	Moursund.
Anderson.	Murphy.
Avis.	Nabors.
Barnett.	Nicholson.
Bateman.	Parish of Runnels.
Bird.	Parrish of Travis.
Black.	Pavlica.
Boggs.	Pearce.
Bonham.	Poage.
Boon.	Pope.
Branch.	Porter.
Brice.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cox.	Reagan.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Renfro of Mills.
Dielmann.	Rogers of Hays.
Dunlap.	Rogers of Shelby.
Duvall.	Runge.
Enderby.	Sanders.
Eickenroht.	Satterwhite.
Farrar.	Shaver.
Faulk.	Shearer.
Finlay.	Sheats.
Forbes.	Shirley.
Gates.	Simmons.
Gibson.	Sinks.
Gray.	Smith of Atascosa.
Hagaman.	Smith of Nueces.
Harding.	Smith of Smith.
Hefley.	Smyth.
High.	Snelgrove.
Hogg.	Stevenson.
Holder.	Storey.
Holland.	Sutton.
Hornaday.	Swain.
Jacks.	Taylor.
Johnson.	Tillotson.
Jones.	Turner.
Kayton.	Van Zandt.
Kemble.	Veatch.
Kincaid.	Waddell.
King of Hopkins.	Walker.
Kirkland.	Wallace
Land.	of Freestone.
Lipscomb.	Wallace of Panola.
Loy.	Ware.
Masterson.	Wassell.
McCombs.	Webb.
McGill.	Whitaker.
Merritt.	Williams
Minor.	of Sabine.

Williams
of Travis.
Woodall.

Woodruff.
Young.

Nays—3.

Albritton.
Kennedy.

Olsen.

Absent.

Acker.
Barron.
Bass.
Beck.
Brown.
Cummings.
Denman.
Fly.
Foster.
Fuchs.
Gilbert.
Graves.
Hall.
Harman.
Keeton.
Kenyon.

King of
Throckmorton.
Kirby.
Loftin.
Long.
Morse.
Petsch.
Powell.
Rowell.
Smith of El Paso.
Stell.
Stout.
Teer.
Wallace of Smith.
Wells.
Williamson.

Absent—Excused.

Justice.
Kinnear.

McKean.
Pool.

The Speaker then laid House bill No. 644 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—113.

Mr. Speaker.	Gibson.
Albritton.	Gray.
Alexander.	Hagaman.
Anderson.	Harding.
Avis.	Hefley.
Barnett.	High.
Bateman.	Hogg.
Bird.	Holder.
Black.	Holland.
Boggs.	Hornaday.
Bonham.	Jacks.
Boon.	Johnson.
Branch.	Jones.
Brice.	Kayton.
Conway.	Kemble.
Cornwell.	Kennedy.
Cox.	Kenyon.
Daniel.	Kincaid.
Davis.	King of Hopkins.
DeBerry.	Kirby.
Dielmann.	Kirkland.
Dunlap.	Land.
Duvall.	Lipscomb.
Enderby.	Loy.
Eickenroht.	Masterson.
Farrar.	McCombs.
Faulk.	McGill.
Finlay.	Merritt.
Forbes.	Minor.

Montgomery.	Smyth.	Anderson.	Murphy.
Moursund.	Snelgrove.	Avis.	Nabors.
Murphy.	Stevenson.	Barnett.	Nicholson.
Nabors.	Storey.	Barron.	Olsen.
Parish of Runnels.	Sutton.	Bateman.	Parish of Runnels.
Parrish of Travis.	Swain.	Beck.	Parrish of Travis.
Pavlica.	Taylor.	Bird.	Pavlica.
Poage.	Tillotson.	Black.	Pearce.
Pope.	Turner.	Boggs.	Poage.
Porter.	Van Zandt.	Bonham.	Pope.
Powell.	Veatch.	Boon.	Porter.
Purl.	Waddell.	Branch.	Purl.
Ramsey.	Walker.	Brice.	Ramsey.
Reagan.	Wallace	Conway.	Rawlins.
Renfro	of Freestone.	Cornwell.	Reagan.
of Angelina.	Wallace of Panola.	Cox.	Renfro
Renfro of Mills.	Wallace of Smith.	Daniel.	of Angelina.
Rogers of Hays.	Ware.	DeBerry.	Renfro of Mills.
Rogers of Shelby.	Wassell.	Dunlap.	Rogers of Hays.
Runge.	Webb.	Duvall.	Rogers of Shelby.
Sanders.	Whitaker.	Enderby.	Runge.
Satterwhite.	Williams	Eickenroht.	Sanders.
Shearer.	of Sabine.	Farrar.	Shearer
Sheats.	Williams	Faulk.	Sheats.
Shirley.	of Travis.	Finlay.	Shirley.
Simmons.	Woodall.	Fly.	Simmons.
Sinks.	Woodruff.	Forbes.	Sinks.
Smith of Atascosa.	Young.	Gibson.	Smith of El Paso.
Smith of Smith.		Graves.	Smith of Nueces.

Absent.

Acker.	Loftin.
Barron.	Long.
Bass.	Morse.
Beck.	Nicholson.
Brown.	Olsen.
Cummings.	Pearce.
Denman.	Petsch.
Fly.	Rawlins.
Foster.	Rowell.
Fuchs.	Shaver.
Gates.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Graves.	Stell.
Hall.	Stout.
Harman.	Teer.
Keeton.	Wells.
King of	Williamson.
Throckmorton.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

RELATING TO SENATE BILL
NO. 398.

Mr. Holder moved to reconsider the vote by which Senate bill No. 398 was finally passed.

The motion to reconsider prevailed.

Senate bill No. 398 was then finally passed by the following vote:

Yeas—107.

Mr. Speaker. Alexander.

Anderson.	Murphy.
Avis.	Nabors.
Barnett.	Nicholson.
Barron.	Olsen.
Bateman.	Parish of Runnels.
Beck.	Parrish of Travis.
Bird.	Pavlica.
Black.	Pearce.
Boggs.	Poage.
Bonham.	Pope.
Boon.	Porter.
Branch.	Purl.
Brice.	Ramsey.
Conway.	Rawlins.
Cornwell.	Reagan.
Cox.	Renfro
Daniel.	of Angelina.
DeBerry.	Renfro of Mills.
Dunlap.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Enderby.	Runge.
Eickenroht.	Sanders.
Farrar.	Shearer
Faulk.	Sheats.
Finlay.	Shirley.
Fly.	Simmons.
Forbes.	Sinks.
Gibson.	Smith of El Paso.
Graves.	Smith of Nueces.
Gray.	Smith of Smith.
Hagaman.	Smyth.
Hall.	Snelgrove.
Hefley.	Stevenson.
High.	Storey.
Hogg.	Swain.
Holder.	Taylor.
Holland.	Tillotson.
Hornaday.	Turner.
Jacks.	Van Zandt.
Jones.	Veatch.
Kayton.	Waddell.
Kemble.	Walker.
Kennedy.	Wallace of Smith.
King of Hopkins.	Ware.
King of	Wassell.
Throckmorton.	Webb.
Kirby.	Whitaker.
Kirkland.	Williams
Lipscomb.	of Sabine.
Loy.	Williams
Masterson.	of Travis.
Merritt.	Woodall.
Montgomery.	Woodruff.
Moursund.	Young.

Absent.

Acker.	Gates.
Albritton.	Gilbert.
Bass.	Harding.
Brown.	Harman.
Cummings.	Johnson.
Davis.	Keeton.
Denman.	Kenyon.
Dielmann.	Kincaid.
Foster.	Land.
Fuchs.	Loftin.

Long.	Smith of Atascosa.
McCombs.	Stell.
McGill.	Stout.
Minor.	Sutton.
Morse.	Teer.
Petsch.	Wallace
Powell.	of Freestone.
Rowell.	Wallace of Panola.
Satterwhite.	Wells.
Shaver.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 471 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 471, Creating Road District No. 5 in Briscoe county.

The bill was read second time and was passed to third reading.

SENATE BILL NO. 471 ON THIRD READING.

Mr. Smyth moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 471 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	Graves.
Alexander.	Gray.
Anderson.	Hagaman.
Avis.	Hall.
Barnett.	Harding.
Bateman.	Hefley.
Beck.	High.
Bird.	Hogg.
Black.	Holder.
Boggs.	Holland.
Bonham.	Hornaday.
Boon.	Jacks.
Branch.	Kemble.
Brice.	Kenyon.
Conway.	Kincaid.
Cornwell.	King of Hopkins.
Cox.	King of
Daniel.	Throckmorton.
Davis.	Kirkland.
DeBerry.	Land.
Dunlap.	Lipscomb.
Duvall.	Loy.
Enderby.	Masterson.
Eickenroht.	Merritt.
Faulk.	Montgomery.
Finlay.	Moursund.
Forbes.	Murphy.
Gibson.	Nabors.

Nicholson.	Smyth.
Parish of Runnels.	Snelgrove.
Pavlica.	Stevenson.
Pearce.	Storey.
Poage.	Swain.
Pope.	Taylor.
Porter.	Tillotson.
Purl.	Turner.
Ramsey.	Van Zandt.
Rawlins.	Veatch.
Reagan.	Waddell.
Renfro of Mills.	Walker.
Rogers of Hays.	Wallace of Panola.
Rogers of Shelby.	Wallace of Smith.
Runge.	Ware.
Sanders.	Wassell.
Satterwhite.	Webb.
Shaver.	Wells.
Shearer.	Whitaker.
Sheats.	Williams
Shirley.	of Sabine.
Simmons.	Williams
Sinks.	of Travis.
Smith of El Paso.	Woodall.
Smith of Nueces.	Woodruff.
Smith of Smith.	Young.

Nays—1.

Kennedy.

Absent.

Acker.	Long.
Albritton.	McCombs.
Barron.	McGill.
Bass.	Minor.
Brown.	Morse.
Cummings.	Olsen.
Denman.	Parrish of Travis.
Dielmann.	Petsch.
Farrar.	Powell.
Fly.	Renfro
Foster.	of Angelina.
Fuchs.	Rowell.
Gates.	Smith of Atascosa.
Gilbert.	Stell.
Harman.	Stout.
Johnson.	Sutton.
Jones.	Teer.
Kayton.	Wallace
Keeton.	of Freestone.
Kirby.	Williamson.
Loftin.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 471 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Mr. Speaker.	Anderson.
Alexander.	Avis.

Barnett.	Parish of Runnels.
Bateman.	Pavlica.
Beck.	Pearce.
Bird.	Poage.
Black.	Pope.
Boggs.	Porter.
Bonham.	Purl.
Boon.	Ramsey.
Branch.	Rawlins.
Brice.	Reagan.
Conway.	Renfro
Cornwell.	of Angelina.
Cox.	Renfro of Mills.
Daniel.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Dunlap.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Eickenroht.	Shearer.
Faulk.	Sheats.
Finlay.	Shirley.
Forbes.	Simmons.
Gibson.	Sinks.
Graves.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Smyth.
Harding.	Snelgrove.
Hefley.	Stevenson.
High.	Storey.
Hogg.	Swain.
Holder.	Taylor.
Holland.	Tillotson.
Hornaday.	Turner.
Jacks.	Van Zandt.
Kemble.	Waddell.
Kennedy.	Walker.
Kenyon.	Wallace
Kincaid.	of Freestone.
King of Hopkins.	Wallace of Panola.
Kirby.	Wallace of Smith.
Kirkland.	Ware.
Land.	Webb.
Lipscomb.	Wells.
Loy.	Whitaker.
Masterson.	Williams
McCombs.	of Sabine.
Merritt.	Williams
Montgomery.	of Travis.
Moursund.	Woodall.
Murphy.	Woodruff.
Nabors.	Young.
Nicholson.	

Absent.

Acker.	Fuchs.
Albritton.	Gates.
Barron.	Gilbert.
Bass.	Harman.
Brown.	Johnson.
Cummings.	Jones.
Davis.	Kayton.
Denman.	Keeton.
Dielmann.	King of
Farrar.	Throckmorton.
Fly.	Loftin.
Foster.	Long.

McGill.	Smith of Atascosa.
Minor.	Stell.
Morse.	Stout.
Olsen.	Sutton.
Parrish of Travis.	Teer.
Petsch.	Veatch.
Powell.	Wassell.
Rowell.	Williamson.
Shaver.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 468 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 468, Creating a more efficient road system for Shelby county.

The bill was read second time and was passed to third reading.

SENATE BILL NO. 468 ON THIRD READING.

Mr. Rogers of Shelby moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 468 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Harding.
Alexander.	Hefley.
Anderson.	High.
Avis.	Hogg.
Barnett.	Holder.
Bateman.	Holland.
Beck.	Hornaday.
Bird.	Jacks.
Black.	Kemble.
Boggs.	Kenyon.
Bonham.	Kincaid.
Boon.	King of Hopkins.
Branch.	King of
Brice.	Throckmorton.
Conway.	Kirby.
Cornwell.	Kirkland.
Cox.	Land.
Daniel.	Lipscomb.
DeBerry.	Loy.
Dunlap.	Masterson.
Duvall.	McCombs.
Enderby.	Merritt.
Eickenroht.	Montgomery.
Faulk.	Morse.
Forbes.	Moursund.
Gates.	Murphy.
Gibson.	Nabors.
Gray.	Nicholson.
Hagaman.	Parish of Runnels.
Hall.	Pavlica.

Pearce.	Snelgrove.
Poage.	Stevenson.
Pope.	Storey.
Porter.	Swain.
Purl.	Taylor.
Ramsey.	Tillotson.
Rawlins.	Turner.
Reagan.	Veatch.
Renfro	Waddell.
of Angelina.	Walker.
Renfro of Mills.	Wallace
Rogers of Hays.	of Freestone.
Rogers of Shelby.	Wallace of Panola.
Runge.	Wallace of Smith.
Sanders.	Ware.
Satterwhite.	Webb.
Shaver.	Wells.
Shearer.	Whitaker.
Sheats.	Williams
Shirley.	of Sabine.
Simmons.	Williams
Sinks.	of Travis.
Smith of El Paso.	Woodall.
Smith of Nueces.	Woodruff.
Smith of Smith.	Young.
Smyth.	

Nays—2.

Kennedy. Van Zandt.

Absent.

Acker.	Kayton.
Albritton.	Keeton.
Barron.	Loftin.
Bass.	Long.
Brown.	McGill.
Cummings.	Minor.
Davis.	Olsen.
Denman.	Parrish of Travis.
Dielmann.	Petsch.
Farrar.	Powell.
Finlay.	Rowell.
Fly.	Smith of Atascosa.
Foster.	Stell.
Fuchs.	Stout.
Gilbert.	Sutton.
Graves.	Teer.
Harman.	Wassell.
Johnson.	Williamson.
Jones.	

Absent—Excused.

Justice. McKean.
Kinnear. Pool.

The Speaker then laid Senate bill No. 468 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108.

Mr. Speaker.	Barnett.
Alexander.	Bateman.
Anderson.	Beck.
Avis.	Bird.

Black.	Moursund.
Boggs.	Murphy.
Bonham.	Nabors.
Boon.	Parish of Runnels.
Branch.	Parrish of Travis.
Brice.	Pavlica.
Brown.	Pearce.
Conway.	Poage.
Cornwell.	Pope.
Cox.	Porter.
Daniel.	Purl.
DeBerry.	Ramsey.
Dunlap.	Rawlins.
Duvall.	Reagan.
Enderby.	Renfro
Faulk.	of Angelina.
Finlay.	Renfro of Mills.
Forbes.	Rogers of Hays.
Gibson.	Rogers of Shelby.
Graves.	Runge.
Gray.	Sanders.
Hagaman.	Satterwhite.
Hall.	Shearer.
Harding.	Sheats.
Harman.	Shirley.
Hefley.	Simmons.
High.	Sinks.
Hogg.	Smith of El Paso.
Holder.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Smyth.
Jacks.	Snelgrove.
Johnson.	Stevenson.
Jones.	Storey.
Kayton.	Taylor.
Kemble.	Tillotson.
Kenyon.	Turner.
Kincaid.	Van Zandt.
King of Hopkins.	Veatch.
King of	Waddell.
Throckmorton.	Walker.
Kirby.	Wallace of Panola.
Kirkland.	Wallace of Smith.
Land.	Ware.
Lipscomb.	Webb.
Loy.	Wells.
McCombs.	Whitaker.
McGill.	Williams
Merritt.	of Sabine.
Montgomery.	Woodall.
Morse.	Woodruff.

Nays—1.

Kennedy.

Present—Not Voting.

Williams of Travis.

Absent.

Acker.	Dielmann.
Albritton.	Eickenroht.
Barron.	Farrar.
Bass.	Fly.
Cummings.	Foster.
Davis.	Fuchs.
Denman.	Gates.

Gilbert.	Smith of Atascosa.
Keeton.	Stell.
Loftin.	Stout.
Long.	Sutton.
Masterson.	Swain.
Minor.	Teer.
Nicholson.	Wallace
Olsen.	of Freestone.
Petsch.	Wassell.
Powell.	Williamson.
Rowell.	Young.
Shaver.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 448 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 448, A bill to be entitled "An Act validating bonds of Cameron County Water Improvement District No. 5."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 448 ON THIRD READING.

Mr. Hornaday moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 448 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	Finlay.
Albritton.	Fly.
Alexander.	Forbes.
Anderson.	Gates.
Barnett.	Gibson.
Barron.	Graves.
Bateman.	Gray.
Bird.	Hagaman.
Black.	Hall.
Boggs.	Harding.
Bonham.	Harman.
Boon.	Hefley.
Branch.	High.
Conway.	Hogg.
Cornwell.	Holder.
Cox.	Holland.
Daniel.	Hornaday.
Davis.	Jacks.
DeBerry.	Johnson.
Dunlap.	Jones.
Duvall.	Kayton.
Enderby.	Kemble.
Farrar.	Kenyon.
Faulk.	Kincaid.

King of Hopkins.	Shaver.
Kirby.	Shearer.
Kirkland.	Sheats.
Land.	Simmons.
Lipscomb.	Sinks.
Loy.	Smith of El Paso.
McCombs.	Smith of Nueces.
McGill.	Smith of Smith.
Merritt.	Smyth.
Montgomery.	Snelgrove.
Moursund.	Stevenson.
Murphy.	Storey.
Nabors.	Swain.
Parish of Runnels.	Taylor.
Parrish of Travis.	Tillotson.
Pavlica.	Van Zandt.
Pearce.	Waddell.
Poage.	Walker.
Pope.	Wallace of Panola.
Porter.	Wallace of Smith.
Purl.	Ware.
Ramsey.	Webb.
Rawlins.	Wells.
Renfro	Whitaker.
of Angelina.	Williams
Renfro of Mills.	of Sabine.
Rogers of Hays.	Williams
Rogers of Shelby.	of Travis.
Runge.	Woodall.
Sanders.	Woodruff.
Satterwhite.	Young.

Nays—3.

Avis.	King of
Kennedy.	Throckmorton.

Absent.

Acker.	Nicholson.
Bass.	Olsen.
Beck.	Petsch.
Brice.	Powell.
Brown.	Reagan.
Cummings.	Rowell.
Denman.	Shirley.
Dielmann.	Smith of Atascosa.
Eickenroht.	Stell.
Foster.	Stout.
Fuchs.	Sutton.
Gilbert.	Teer.
Keeton.	Turner.
Loftin.	Veatch.
Long.	Wallace
Masterson.	of Freestone.
Minor.	Wassell.
Morse.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 448 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—110.

Mr. Speaker.	Merritt.
Albritton.	Montgomery.
Alexander.	Morse.
Anderson.	Moursund.
Barnett.	Murphy.
Barron.	Nabors.
Bateman.	Parish of Runnels.
Beck.	Parrish of Travis.
Bird.	Pavlica.
Black.	Pearce.
Boggs.	Poage.
Bonham.	Pope.
Boon.	Purl.
Branch.	Ramsey.
Brice.	Rawlins.
Conway.	Reagan.
Cornwell.	Renfro
Cox.	of Angelina.
Daniel.	Renfro of Mills.
Davis.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Dunlap.	Rowell.
Duvall.	Runge.
Enderby.	Sanders.
Farrar.	Satterwhite.
Faulk.	Shaver.
Finlay.	Shearer.
Forbes.	Sheats.
Gates.	Shirley.
Gibson.	Simmons.
Graves.	Sinks.
Gray.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Hall.	Smith of Smith.
Harding.	Smyth.
Harman.	Snelgrove.
Hefley.	Storey.
High.	Swain.
Hogg.	Taylor.
Holder.	Tillotson.
Holland.	Turner.
Hornaday.	Van Zandt.
Jacks.	Waddell.
Johnson.	Walker.
Jones.	Wallace of Panola.
Kayton.	Wallace of Smith.
Kemble.	Ware.
Kennedy.	Webb.
Kenyon.	Wells.
Kincaid.	Whitaker.
King of Hopkins.	Williams
Kirby.	of Sabine.
Kirkland.	Williams
Land.	of Travis.
Lipscomb.	Woodall.
Loy.	Woodruff.
McCombs.	Young.
McGill.	

Nays—2.

Avis.	King of
	Throckmorton.
	Absent.
Acker.	Bass.

Brown.	Olsen.
Cummings.	Petsch.
Denman.	Porter.
Dielmann.	Powell.
Eickenroht.	Smith of Atascosa.
Fly.	Stell.
Foster.	Stevenson.
Fuchs.	Stout.
Gilbert.	Sutton.
Keeton.	Teer.
Loftin.	Veatch.
Long.	Wallace
Masterson.	of Freestone.
Minor.	Wassell.
Nicholson.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 479 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 479, A bill to be entitled "An Act amending local road law of Dallas county."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 479 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 479 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Mr. Speaker.	Dunlap.
Alexander.	Duvall.
Anderson.	Enderby.
Avis.	Farrar.
Barnett.	Faulk.
Barron.	Finlay.
Bateman.	Forbes.
Beck.	Gates.
Bird.	Gibson.
Black.	Graves.
Boggs.	Gray.
Bonham.	Hagaman.
Boon.	Hall.
Branch.	Harding.
Brice.	Harman.
Brown.	Hefley.
Conway.	High.
Cornwell.	Hogg.
Cox.	Holder.
Daniel.	Holland.
DeBerry.	Hornaday.

Jacks.	Rogers of Hays.
Johnson.	Rogers of Shelby.
Jones.	Rowell.
Kayton.	Runge.
Kemble.	Sanders.
Kenyon.	Satterwhite.
Kincaid.	Shearer.
King of Hopkins.	Sheats.
King of Throckmorton.	Shirley.
Kirby.	Simmons.
Kirkland.	Sinks.
Lipscomb.	Smith of El Paso.
Long.	Smith of Nueces.
Loy.	Smith of Smith.
McCombs.	Smyth.
McGill.	Snelgrove.
Merritt.	Stevenson.
Montgomery.	Swain.
Morse.	Tillotson.
Moursund.	Turner.
Murphy.	Van Zandt.
Nabors.	Veatch.
Parish of Runnels.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace of Smith.
Pearce.	Ware.
Pope.	Wassell.
Purl.	Webb.
Ramsey.	Wells.
Rawlins.	Whitaker.
Reagan.	Williams
Renfro	of Sabine.
of Angelina.	Woodall.
Renfro of Mills.	Woodruff.
	Young.

Nays—2.

Kennedy.	Porter.
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Absent.

Acker.	Olsen.
Albritton.	Petsch.
Bass.	Poage.
Cummings.	Powell.
Davis.	Shaver.
Denman.	Smith of Atascosa.
Dielmann.	Stell.
Eickenroht.	Storey.
Fly.	Stout.
Foster.	Sutton.
Fuchs.	Taylor.
Gilbert.	Teer.
Keeton.	Wallace
Land.	of Freestone.
Loftin.	Wallace of Panola.
Masterson.	Williams
Minor.	of Travis.
Nicholson.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 479 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Mr. Speaker.	McGill.
Alexander.	Merritt.
Anderson.	Montgomery.
Avis.	Morse.
Barnett.	Moursund.
Bateman.	Murphy.
Bird.	Nabors.
Black.	Parish of Runnels.
Boggs.	Pavlica.
Bonham.	Pearce.
Boon.	Pope.
Branch.	Porter.
Brice.	Purl.
Brown.	Ramsey.
Conway.	Rawlins.
Cornwell.	Reagan.
Cox.	Renfro
Daniel.	of Angelina.
DeBerry.	Renfro of Mills.
Dunlap.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Farrar.	Rowell.
Faulk.	Runge.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Gates.	Shearer.
Graves.	Sheats.
Gray.	Shirley.
Hagaman.	Simmons.
Hall.	Sinks.
Harding.	Smith of El Paso.
Harman.	Smith of Nueces.
Hefley.	Smith of Smith.
High.	Smyth.
Hogg.	Snelgrove.
Holder.	Stevenson.
Holland.	Swain.
Hornaday.	Tillotson.
Jacks.	Turner.
Johnson.	Van Zandt.
Jones.	Veatch.
Kayton.	Waddell.
Kemble.	Walker.
Kennedy.	Wallace of Panola.
Kenyon.	Wallace of Smith.
Kincaid.	Ware.
King of Hopkins.	Wassell.
King of Throckmorton.	Webb.
Kirby.	Wells.
Kirkland.	Whitaker.
Land.	Williams
Lipscomb.	of Sabine.
Long.	Woodall.
Loy.	Woodruff.
McCombs.	Young.

Absent.

Acker.	Bass.
Albritton.	Beck.
Barron.	Cummings.

Davis.	Petsch.
Denman.	Poage.
Dielmann.	Powell.
Duvall.	Smith of Atascosa.
Eickenroht.	Stell.
Foster.	Storey.
Fuchs.	Stout.
Gibson.	Sutton.
Gilbert.	Taylor.
Keeton.	Teer.
Loftin.	Wallace
Masterson.	of Freestone.
Minor.	Williams
Nicholson.	of Travis.
Olsen.	Williamson.
Parrish of Travis.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

(Mr. Satterwhite in the chair.)

SENATE BILL NO. 469 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 469, A bill to be entitled "An Act relative to fixing the compensation of the Superintendent of Public Instruction."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 469 ON THIRD
READING.

Mr. Daniel moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Alexander.	DeBerry.
Anderson.	Dunlap.
Avis.	Duvall.
Barron.	Enderby.
Bateman.	Farrar.
Bird.	Faulk.
Black.	Finlay.
Boggs.	Fly.
Bonham.	Forbes.
Branch.	Graves.
Brice.	Gray.
Brown.	Harding.
Conway.	Harman.
Cornwell.	Hefley.
Cox.	High.
Daniel.	Hogg.

Holland.	Rowell.
Hornaday.	Runge.
Jacks.	Sanders.
Johnson.	Satterwhite.
Jones.	Shaver.
Kayton.	Shearer.
Kemble.	Sheats.
Kenyon.	Shirley.
King of	Simmons.
Throckmorton.	Sinks.
Lipscomb.	Smith of El Paso.
Loftin.	Smith of Nueces.
Loy.	Smith of Smith.
McCombs.	Smyth.
McGill.	Stevenson.
Merritt.	Storey.
Minor.	Swain.
Montgomery.	Tillotson.
Morse.	Turner.
Moursund.	Van Zandt.
Murphy.	Veatch.
Nabors.	Waddell.
Parish of Runnels.	Walker.
Parrish of Travis.	Wallace of Panola.
Pavlica.	Wallace of Smith.
Pearce.	Ware.
Porter.	Wells.
Purl.	Whitaker.
Rawlins.	Williams
Reagan.	of Sabine.
Renfro	Williams
of Angelina.	of Travis.
Renfro of Mills.	Woodall.
Rogers of Hays.	Woodruff.
Rogers of Shelby.	Young.

Nays—9.

Boon.	Kirby.
Davis.	Land.
Hall.	Long.
Kennedy.	Pope.
Kincaid.	

Present—Not Voting.

Barnett.	Snelgrove.
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Absent.

Acker.	Masterson.
Albritton.	Nicholson.
Bass.	Olsen.
Beck.	Petsch.
Cummings.	Poage.
Denman.	Powell.
Dielmann.	Ramsey.
Eickenroht.	Smith of Atascosa.
Foster.	Stell.
Fuchs.	Stout.
Gates.	Sutton.
Gibson.	Taylor.
Gilbert.	Teer.
Hagaman.	Wallace
Holder.	of Freestone.
Keeton.	Wassell.
King of Hopkins.	Webb.
Kirkland.	Williamson.

Absent—Excused.

Justice. McKean.
Kinnear. Pool.

The Speaker then laid Senate bill No. 469 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—93.

Mr. Speaker.	Moursund.
Alexander.	Murphy.
Avis.	Nabors.
Barron.	Parish of Runnels.
Bateman.	Parrish of Travis.
Bird.	Pavlica.
Boggs.	Pearce.
Boon.	Porter.
Branch.	Purl.
Brice.	Rawlins.
Brown.	Reagan.
Conway.	Renfro of Mills.
Cornwell.	Rogers of Hays.
Cox.	Rogers of Shelby.
Daniel.	Rowell.
DeBerry.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Faulk.	Shaver.
Finlay.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Gates.	Simmons.
Gibson.	Sinks.
Graves.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Smyth.
Hefley.	Stevenson.
Hogg.	Storey.
Holland.	Swain.
Hornaday.	Tillotson.
Jacks.	Veatch.
Johnson.	Waddell.
Jones.	Walker.
Kayton.	Wallace of Panola.
Kemble.	Wallace of Smith.
Kenyon.	Ware.
King of Hopkins.	Wassell.
Lipscomb.	Wells.
Loftin.	Whitaker.
Loy.	Williams
Masterson.	of Sabine.
McCombs.	Williams
McGill.	of Travis.
Merritt.	Woodall.
Minor.	Woodruff.
Montgomery.	Young.
Morse.	

Nays—10.

Black. Kennedy.
Davis. Kincaid.
High. Kirby.

Land.
Long.

Pope.
Van Zandt.

Present—Not Voting.

Barnett. Snelgrove.
Farrar. Absent.

Acker.	Kirkland.
Albritton.	Nicholson.
Anderson.	Olsen.
Bass.	Petsch.
Beck.	Poage.
Bonham.	Powell.
Cummings.	Ramsey.
Denman.	Renfro
Dielmann.	of Angelina.
Dunlap.	Smith of Atascosa.
Eickenroht.	Stell.
Foster.	Stout.
Fuchs.	Sutton.
Gilbert.	Taylor.
Gray.	Teer.
Hall.	Turner.
Holder.	Wallace
Keeton.	of Freestone.
King of	Webb.
Throckmorton.	Williamson.

Absent—Excused.

Justice. McKean.
Kinnear. Pool.

SENATE BILL NO. 247 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 247, A bill to be entitled "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 247 ON THIRD READING.

Mr. Boggs moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 247 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Alexander. Barron.
Barnett. Bateman.

Bird.	Morse.
Black.	Moursund.
Boggs.	Murphy.
Bonham.	Nabors.
Boon.	Olsen.
Branch.	Parish of Runnels.
Brice.	Parrish of Travis.
Brown.	Pavlica.
Conway.	Pearce.
Cornwell.	Pope.
Cox.	Purl.
Daniel.	Ramsey.
Davis.	Rawlins.
DeBerry.	Reagan.
Dunlap.	Renfro
Enderby.	of Angelina.
Farrar.	Renfro of Mills.
Faulk.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Runge.
Gates.	Sanders.
Graves.	Satterwhite.
Gray.	Shaver.
Hagaman.	Shearer.
Hall.	Sheats.
Harding.	Shirley.
Harman.	Simmons.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Hogg.	Smith of Smith.
Holland.	Smyth.
Hornaday.	Snelgrove.
Jacks.	Storey.
Jones.	Stout.
Kayton.	Swain.
Kemble.	Tillotson.
Kincaid.	Turner.
King of Hopkins.	Van Zandt.
King of	Veatch.
Throckmorton.	Walker.
Kirby.	Wallace of Panola.
Kirkland.	Wallace of Smith.
Land.	Webb.
Lipscomb.	Wells.
Long.	Whitaker.
Masterson.	Williams
McCombs.	of Travis.
McGill.	Woodall.
Merritt.	Woodruff.
Minor.	Young.
Montgomery.	

Nays—1.

Kennedy.

Absent.

Acker.	Duvall.
Albritton.	Eickenroht.
Anderson.	Foster.
Avis.	Fuchs.
Bass.	Gibson.
Beck.	Gilbert.
Cummings.	Holder.
Denman.	Johnson.
Dielmann.	Keeton.

Kenyon.	Sutton.
Loftin.	Taylor.
Loy.	Teer.
Nicholson.	Waddell.
Petsch.	Wallace
Poage.	of Freestone.
Porter.	Ware.
Powell.	Wassell.
Sinks.	Williams
Smith of Atascosa.	of Sabine.
Stell.	Williamson.
Stevenson.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 247 before the House on its third reading and final passage.

The bill was read third time and was passed.

HOUSE BILL NO. 103 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 103, A bill to be entitled "An Act relative to placing a closed season of five years on certain birds in Scurry county."

The bill was read third time.

Mr. Finlay offered the following amendment to the bill:

Amend House bill No. 103 by striking out all after the word "Texas," in line 19, page 1 of the bill, down to and including the word "law," in line 21.

The amendment was lost.

Mr. Jacks moved to reconsider the vote by which the amendment was lost.

The motion to reconsider prevailed.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—72.

Mr. Speaker.	Farrar.
Avis.	Faulk.
Barron.	Forbes.
Bateman.	Gibson.
Black.	Graves.
Boggs.	Gray.
Bonham.	Hall.
Boon.	Harding.
Branch.	Hefley.
Brice.	Hogg.
Conway.	Holder.
Cornwell.	Jacks.
Cox.	Kincaid.
Enderby.	King of Hopkins.

Kirby.	Sheats.
Kirkland.	Shirley.
Land.	Simmons.
Lipscomb.	Sinks.
Loftin.	Smith of El Paso.
Long.	Smith of Nueces.
McGill.	Smith of Smith.
Minor.	Smyth.
Murphy.	Snelgrove.
Nabors.	Stout.
Olsen.	Swain.
Parish of Runnels.	Taylor.
Parrish of Travis.	Teer.
Pearce.	Tillotson.
Pope.	Van Zandt.
Purl.	Veatch.
Ramsey.	Walker.
Reagan.	Webb.
Renfro	Whitaker.
of Angelina.	Williams
Renfro of Mills.	of Sabine.
Rogers of Shelby.	Woodall.
Sanders.	Woodruff.
Satterwhite.	Young.

Nays—27.

Alexander.	Porter.
Anderson.	Rogers of Hays.
Barnett.	Rowell.
Bird.	Shaver.
Brown.	Shearer.
DeBerry.	Storey.
High.	Turner.
Holland.	Waddell.
Hornaday.	Wallace
Jones.	of Freestone.
Kemble.	Wallace of Panola.
Kennedy.	Wells.
McCombs.	Williams
Morse.	of Travis.
Moursund.	

Present—Not Voting.

Kayton. Wallace of Smith.

Absent.

Acker.	Hagaman.
Albritton.	Harman.
Bass.	Johnson.
Beck.	Keeton.
Cummings.	Kenyon.
Daniel.	King of
Davis.	Throckmorton.
Denman.	Loy.
Dielmann.	Masterson.
Dunlap.	Merritt.
Duvall.	Montgomery.
Eickenroht.	Nicholson.
Finlay.	Pavlica.
Fly.	Petsch.
Foster.	Poage.
Fuchs.	Powell.
Gates.	Rawlins.
Gilbert.	Runge.

Smith of Atascosa.	Ware.
Stell.	Wassell.
Stevenson.	Williamson.
Sutton.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

Mr. Finlay offered the following amendments to the bill:

Amend House bill No. 103 by striking out the following counties: Parker, Milam, Hays, Caldwell, Rusk, Harrison, Johnson, Foard, Tom Green, Williamson, Guadalupe, Comal, Rockwall, and insert Cooke, Falls and Denton.

Amend Senate bill No. 326 by striking out word "not," in Section 4, between the word "shall" and "be."

The amendments were severally adopted.

Mr. Kayton offered the following amendment to the bill:

Amend House bill No. 103 by striking out names of all counties therein and insert in lieu therefor "State of Texas."

Signed—Kayton, Wells.

On motion of Mr. Merritt, the amendment was tabled.

House bill No. 103 was then finally passed by the following vote:

Yeas—84.

Mr. Speaker.	Holland.
Alexander.	Kennedy.
Anderson.	Kincaid.
Avis.	King of Hopkins.
Barron.	King of
Bateman.	Throckmorton.
Black.	Kirby.
Boggs.	Kirkland.
Boon.	Land.
Brice.	Lipscomb.
Brown.	Loftin.
Conway.	Long.
Cornwell.	Masterson.
Cox.	McCombs.
Daniel.	McGill.
Dielmann.	Merritt.
Duvall.	Minor.
Enderby.	Montgomery.
Farrar.	Moursund.
Faulk.	Murphy.
Finlay.	Nabors.
Forbes.	Olsen.
Gibson.	Parish of Runnels.
Graves.	Pavlica.
Gray.	Pearce.
Hall.	Pope.
Hefley.	Porter.
Holder.	Powell.

Purl.	Snelgrove.
Rawlins.	Stell.
Renfro	Storey.
of Angelina.	Swain.
Rogers of Hays.	Taylor.
Rogers of Shelby.	Tillotson.
Rowell.	Turner.
Runge.	Van Zandt.
Sanders.	Walker.
Satterwhite.	Wallace of Panola.
Shaver.	Ware.
Shirley.	Webb.
Simmons.	Williams
Sinks.	of Sabine.
Smith of Nueces.	Woodall.
Smith of Smith.	Woodruff.
Smyth.	Young.

Nays—6.

Hagaman.	Morse.
High.	Williams
Kayton.	of Travis.
Kemble.	

Present—Not Voting.

Barnett.	Jacks.
Bird.	Parrish of Travis.
Branch.	Ramsey.
DeBerry.	Reagan.
Dunlap.	Stout.
Hogg.	Wallace of Smith.

Absent.

Acker.	Loy.
Albritton.	Nicholson.
Bass.	Petsch.
Beck.	Poage.
Bonham.	Renfro of Mills.
Cummings.	Shearer.
Davis.	Sheats.
Denman.	Smith of Atascosa.
Eickenroht.	Smith of El Paso.
Fly.	Stevenson.
Foster.	Sutton.
Fuchs.	Teer.
Gates.	Veatch.
Gilbert.	Waddell.
Harding.	Wallace
Harman.	of Freestone.
Hornaday.	Wassell.
Johnson.	Wells.
Jones.	Whitaker.
Keeton.	Williamson.
Kenyon.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has
passed

Simple Resolution No. 87, Request-
ing the House to return House bill No.
636 to the Senate for further consid-
eration.

Respectfully,
MORRIS C. HANKINS,

Assistant Secretary of the Senate.

SENATE BILL NO. 478 ON SECOND
READING.

The Speaker laid before the House;
on its second reading and passage to
third reading,

S. B. No. 478, A bill to be entitled
"An Act making provision for a district
attorney in the Ninetieth Judicial Dis-
trict of Texas and an assistant district
attorney in said district, etc., and de-
claring an emergency."

The bill was read second time and
was passed to third reading.

SENATE BILL NO. 478 ON THIRD
READING.

Mr. Sanders moved that the consti-
tutional rule requiring bills to be read
on three several days be suspended and
that Senate bill No. 478 be placed on
its third reading and final passage.

The motion prevailed by the follow-
ing vote:

Yeas—98.

Mr. Speaker.	Harman.
Anderson.	Hefley.
Avis.	High.
Barnett.	Hogg.
Barron.	Holland.
Bateman.	Hornaday.
Bird.	Jacks.
Black.	Kayton.
Boggs.	Keeton.
Branch.	Kemble.
Brice.	Kincaid.
Brown.	King of Hopkins.
Conway.	Kirby.
Cornwell.	Kirkland.
Cox.	Land.
DeBerry.	Lipscomb.
Dielmann.	Long.
Dunlap.	Masterson.
Duvall.	McCombs.
Enderby.	McGill.
Farrar.	Merritt.
Faulk.	Montgomery.
Finlay.	Morse.
Forbes.	Moursund.
Gibson.	Murphy.
Graves.	Olsen.
Gray.	Parish of Runnels.
Hagaman.	Parrish of Travis.

Pavlica.	Smith of Smith.
Pearce.	Smyth.
Petsch.	Snelgrove.
Pope.	Stell.
Porter.	Storey.
Purl.	Stout.
Ramsey.	Taylor.
Rawlins.	Teer.
Reagan.	Turner.
Renfro	Walker.
of Angelina.	Wallace of Panola.
Rogers of Hays.	Wallace of Smith.
Rogers of Shelby.	Ware.
Rowell.	Webb.
Runge.	Wells.
Sanders.	Whitaker.
Satterwhite.	Williams
Shaver.	of Sabine.
Shearer.	Williams
Shirley.	of Travis.
Simmons.	Woodall.
Sinks.	Woodruff.
Smith of Atascosa.	Young.

Nays—1.

Kennedy.

Present—Not Voting.

Van Zandt.

Absent.

Acker.	King of
Albritton.	Throckmorton.
Alexander.	Loftin.
Bass.	Loy.
Beck.	Minor.
Bonham.	Nabors.
Boon.	Nicholson.
Cummings.	Poage.
Daniel.	Powell.
Davis.	Renfro of Mills.
Denman.	Sheats.
Eickenroht.	Smith of El Paso.
Fly.	Smith of Nueces.
Foster.	Stevenson.
Fuchs.	Sutton.
Gates.	Swain.
Gilbert.	Tillotson.
Hall.	Veatch.
Harding.	Waddell.
Holder.	Wallace
Johnson.	of Freestone.
Jones.	Wassell.
Kenyon.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 478 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Murphy.
Alexander.	Nabors.
Anderson.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pavlica.
Barron.	Pearce.
Bateman.	Petsch.
Bird.	Pope.
Black.	Porter.
Boggs.	Powell.
Bonham.	Purl.
Boon.	Ramsey.
Branch.	Rawlins.
Brice.	Reagan.
Brown.	Renfro
Conway.	of Angelina.
Cornwell.	Rogers of Hays.
Cox.	Rogers of Shelby.
Davis.	Rowell.
DeBerry.	Runge.
Dielmann.	Sanders.
Duvall.	Satterwhite.
Enderby.	Shaver.
Farrar.	Shearer.
Faulk.	Shirley.
Finlay.	Simmons.
Forbes.	Sinks.
Graves.	Smith of Nueces.
Hagaman.	Smith of Smith.
Harman.	Snelgrove.
Hefley.	Stell.
High.	Stout.
Hogg.	Swain.
Holder.	Taylor.
Holland.	Teer.
Hornaday.	Turner.
Jacks.	Van Zandt.
Kayton.	Veatch.
Kemble.	Walker.
Kincaid.	Wallace of Panola.
Kirby.	Wallace of Smith.
Kirkland.	Ware.
Land.	Webb.
Long.	Wells.
Masterson.	Whitaker.
McCombs.	Williams
McGill.	of Sabine.
Merritt.	Williams
Minor.	of Travis.
Montgomery.	Woodall.
Morse.	Woodruff.
Moursund.	Young.

Nays—2.

Kennedy.

Olsen.

Absent.

Acker.	Denman.
Albritton.	Dunlap.
Bass.	Eickenroht.
Beck.	Fly.
Cummings.	Foster.
Daniel.	Fuchs.

Gates.	Nicholson.
Gibson.	Poage.
Gilbert.	Renfro of Mills.
Gray.	Sheats.
Hall.	Smith of Atascosa.
Harding.	Smith of El Paso.
Johnson.	Smyth.
Jones.	Stevenson.
Keeton.	Storey.
Kenyon.	Sutton.
King of Hopkins.	Tillotson.
King of	Waddell.
Throckmorton.	Wallace
Lipscomb.	of Freestone.
Loftin.	Wassell.
Loy.	Williamson.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

HOUSE BILL NO. 365 ON SECOND
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 365, A bill to be entitled "An Act to amend Article 4192 of the Revised Civil Statutes of 1925, providing for the making of oil and gas and other mineral leases by guardians of the estates of minors, and other persons, upon the real estate belonging to the estates of their wards, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 365 ON THIRD
READING.

Mr. Bobbitt moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 365 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Brown.
Alexander.	Conway.
Anderson.	Cornwell.
Avis.	Cox.
Barron.	Daniel.
Bateman.	Davis.
Beck.	DeBerry.
Bird.	Dielmann.
Black.	Dunlap.
Boggs.	Duvall.
Bonham.	Enderby.
Boon.	Farrar.
Branch.	Faulk.
Brice.	Finlay.

Fly.	Rawlins.
Forbes.	Reagan.
Gibson.	Renfro
Graves.	of Angelina.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hall.	Rowell.
Harman.	Runge.
Hefley.	Satterwhite.
High.	Shaver.
Hogg.	Shearer.
Holder.	Shirley.
Holland.	Simmons.
Hornaday.	Sinks.
Jacks.	Smith of Nueces.
Kayton.	Smith of Smith.
Kemble.	Snelgrove.
Kincaid.	Stell.
Kirby.	Storey.
Kirkland.	Stout.
Land.	Swain.
Long.	Taylor.
McCombs.	Tillotson.
McGill.	Turner.
Minor.	Van Zandt.
Montgomery.	Walker.
Morse.	Wallace of Panola.
Moursund.	Wallace of Smith.
Murphy.	Ware.
Nabors.	Wassell.
Parish of Runnels.	Webb.
Parrish of Travis.	Wells.
Pavlica.	Whitaker.
Pearce.	Williams
Petsch.	of Sabine.
Pope.	Williams
Porter.	of Travis.
Powell.	Woodall.
Purl.	Young.
Ramsey.	

Nays—2.

Kennedy. Olsen.

Absent.

Acker.	Loy.
Albritton.	Masterson.
Bateman.	Merritt.
Bass.	Nicholson.
Cummings.	Poage.
Denman.	Renfro of Mills.
Eickenroht.	Sanders.
Foster.	Sheats.
Fuchs.	Smith of Atascosa.
Gates.	Smith of El Paso.
Gilbert.	Smyth.
Harding.	Stevenson.
Johnson.	Sutton.
Jones.	Teer.
Keeton.	Veatch.
Kenyon.	Waddell.
King of Hopkins.	Wallace
King of	of Freestone.
Throckmorton.	Williamson.
Lipscomb.	Woodruff.
Loftin.	

Absent—Excused.

Justice.
Kinnear.

McKean.
Pool.

The Speaker then laid House bill No. 365 before the House on its third reading and final passage.

The bill was read third time.

Mr. Bobbitt offered the following amendments to the bill:

Amend House bill No. 365 by striking out all above the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act to amend Article 4129 of the Revised Civil Statutes of 1925, providing for the making of oil and gas and other mineral leases by guardians of the estates of minors, and other persons, upon the real estate belonging to the estates of their wards, providing for the time of making notice, and providing how such notice shall be made, and declaring an emergency."

Amend House bill No. 365 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. Article 4129 of the Revised Civil Statutes of 1925, is hereby amended so as hereafter to read as follows:

Guardians of the estates of minors, and other persons, appointed under the laws of this State, may make oil and gas and other mineral leases upon the real estate belonging to the estates of their wards under the following rules:

1. The guardian shall file his sworn application with the county clerk of the county where such guardianship is pending for authority to make such oil and gas or mineral lease, and the county judge either in term time or vacation shall hear such application and shall require proof as to the necessity or advisability of such lease, and if he shall approve the same he shall enter an order authorizing the guardian to make such oil and gas or mineral lease, which order shall set out the consideration for which said land may be leased for oil and gas or mineral purposes, shall give the name of the lessee and said order shall contain a copy of said oil and gas or mineral lease authorized to be made.

2. Previous notice thereof shall be given by the guardian for one week prior to the time the county judge shall hear such application by publishing same in some newspaper of general circulation in the county where such guardianship is pending for one issue of said paper. Said notice shall say when and where such application shall be heard. If no paper should be published in the county

where such notice is required to be given, then said notice may be given by posting such notice at the court house door of such county for seven days next preceding the date of such hearing. And said publishing or posting as herein provided may be shown by the return of the sheriff or constable or by the affidavit of any credible person made on a written copy of the notices so published or posted showing the facts of such publishing or postage.

3. No notice thereof shall be given by the county clerk but such notice must be given by the guardian as herein provided and when such an application is filed the clerk shall immediately call the attention of the judge of the court in which such guardianship is pending to the filing of such application and the judge shall designate a date to hear such application, and such date shall not be within seven days after the filing of said application, and such hearing may be continued from time to time until he is satisfied concerning the application.

4. After hearing of said application and the granting of the same by the court, said guardian shall be fully authorized to make the oil and gas or mineral lease upon the real estate of the ward, in accordance with the judgment of the court thereon, but such oil and gas or mineral lease shall not be valid until said guardian files a good and sufficient bond in double the amount of the cash bonus that may be paid for said oil and gas or mineral lease, or in the event no cash bonus is paid then such sum as may be fixed by the county judge, which bond shall be approved by the county judge, filed with the county clerk and recorded in the minutes of such court. When such order has been made and such bond has been executed and approved, the guardian shall be fully authorized to execute and deliver such lease, and it shall not be necessary for the court to make any order confirming said lease.

5. No such lease shall extend beyond the time the ward shall become twenty-one years of age, unless at that time the lessee shall have discovered such minerals as are specified in the lease, in which event the same shall remain in full force so long as such minerals or any of them shall be produced in paying quantities. The marriage of the female ward shall terminate any lease made hereunder until such ward actually reaches the age of twenty-one years.

Sec. 2. The fact that no newspapers

are published in a number of counties in the State of Texas creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days by each house be suspended, and said rule is hereby suspended and this act shall take effect and be in full force from and after its passage, and it is so enacted.

The amendments were severally adopted.

House bill No. 365 was then finally passed by the following vote:

Yeas—102.

Alexander.	Minor.
Anderson.	Montgomery.
Avis.	Morse.
Barnett.	Moursund.
Barron.	Murphy.
Bateman.	Nabors.
Bird.	Olsen.
Boggs.	Parish of Runnels.
Boon.	Parrish of Travis.
Branch.	Paylica.
Brice.	Pearce.
Brown.	Petsch.
Conway.	Pope.
Cornwell.	Porter.
Cox.	Powell.
Daniel.	Purl.
Davis.	Ramsey.
DeBerry.	Rawlins.
Dielmann.	Reagan.
Dunlap.	Renfro
Duvall.	of Angelina.
Enderby.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Faulk.	Rowell.
Finlay.	Runge.
Forbes.	Shaver.
Gibson.	Shearer.
Graves.	Shirley.
Gray.	Simmons.
Hagaman.	Sinks.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Snelgrove.
Hefley.	Stell.
High.	Storey.
Hogg.	Stout.
Holder.	Swain.
Holland.	Taylor.
Hornaday.	Teer.
Jacks.	Tillotson.
Kayton.	Turner.
Kemble.	Walker.
Kennedy.	Wallace of Panola.
Kincaid.	Wallace of Smith.
Kirkland.	Ware.
Land.	Wassell.
Lipscomb.	Webb.
Long.	Wells.
McCombs.	Whitaker.
McGill.	

Williams
of Sabine.
Williams
of Travis.

Woodall.
Young.

Absent.

Acker.	Loftin.
Albritton.	Loy.
Bass.	Masterson.
Beck.	Merritt.
Black.	Nicholson.
Bonham.	Poage.
Cummings.	Renfro of Mills.
Denman.	Sanders.
Eickenroht.	Satterwhite.
Fly.	Sheats.
Foster.	Smith of Atascosa.
Fuchs.	Smith of El Paso.
Gates.	Smyth.
Gilbert.	Stevenson.
Johnson.	Sutton.
Jones.	Van Zandt.
Keeton.	Veatch.
Kenyon.	Waddell.
King of Hopkins.	Wallace
King of	of Freestone.
Throckmorton.	Williamson.
Kirby.	Woodruff.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

SENATE BILL NO. 326 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 326, A bill to be entitled "An Act creating a more efficient road system for Madison county."

The bill was read second time.

Mr. Turner offered an amendment to the bill, which was adopted.

Senate bill No. 326 was then passed to third reading.

SENATE BILL NO. 326 ON THIRD READING.

Mr. Turner moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 326 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Bird.
Alexander.	Black.
Anderson.	Boggs.
Avis.	Bonham.
Barnett.	Boon.
Barron.	Branch.
Bateman.	Brice.

Brown.	Parrish of Travis.
Cornwell.	Pavlica.
Cox.	Pearce.
Daniel.	Petsch.
DeBerry.	Pope.
Dielmann.	Porter.
Duvall.	Powell.
Enderby.	Purl.
Farrar.	Ramsey.
Faulk.	Rawlins.
Finlay.	Reagan.
Forbes.	Renfro
Graves.	of Angelina.
Gray.	Rogers of Hays.
Hagaman.	Runge.
Hall.	Sanders.
Harding.	Satterwhite.
Harman.	Shaver.
Hefley.	Shearer.
High.	Simmons.
Hogg.	Sinks.
Holder.	Smith of Nueces.
Holland.	Snelgrove.
Hornaday.	Stell.
Jacks.	Storey.
Kayton.	Stout.
Kennedy.	Taylor.
Kincaid.	Teer.
Kirby.	Tillotson.
Kirkland.	Turner.
Land.	Walker.
Lipscomb.	Wallace of Panola.
Loftin.	Wallace of Smith.
Long.	Ware.
McCombs.	Wassell.
McGill.	Webb.
Minor.	Wells.
Montgomery.	Whitaker.
Morse.	Williams
Murphy.	of Travis.
Nabors.	Woodruff.
Olsen.	Young.
Parish of Runnels.	

Nays—2.

Van Zandt. Woodall.

Absent.

Acker.	Jones.
Albritton.	Keeton.
Bass.	Kemble.
Beck.	Kenyon.
Conway.	King of Hopkins.
Cummings.	King of
Davis.	Throckmorton.
Denman.	Loy.
Dunlap.	Masterson.
Eickenroht.	Merritt.
Fly.	Moursund.
Foster.	Nicholson.
Fuchs.	Poage.
Gates.	Renfro of Mills.
Gibson.	Rogers of Shelby.
Gilbert.	Rowell.
Johnson.	Sheats.

Shirley.	Veatch.
Smith of Atascosa.	Waddell.
Smith of El Paso.	Wallace
Smith of Smith.	of Freestone.
Smyth.	Williams
Stevenson.	of Sabine.
Sutton.	Williamson.
Swain.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

The Speaker then laid Senate bill No. 326 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—95.

Mr. Speaker.	McGill.
Alexander.	Minor.
Barnett.	Montgomery.
Barron.	Murphy.
Bateman.	Nabors.
Bird.	Nicholson.
Black.	Olsen.
Boggs.	Parish of Runnels.
Bonham.	Parrish of Travis.
Boon.	Pavlica.
Branch.	Pearce.
Brice.	Petsch.
Conway.	Pope.
Cornwell.	Porter.
Daniel.	Powell.
Davis.	Purl.
Duvall.	Ramsey.
Farrar.	Rawlins.
Finlay.	Rogers of Hays.
Forbes.	Rowell.
Gibson.	Runge.
Graves.	Sanders.
Gray.	Satterwhite.
Hagaman.	Shaver.
Hall.	Shearer.
Harding.	Simmons.
Harman.	Sinks.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Hogg.	Stell.
Holder.	Storey.
Holland.	Stout.
Hornaday.	Swain.
Jacks.	Taylor.
Kayton.	Teer.
Kennedy.	Tillotson.
Kenyon.	Turner.
Kincaid.	Veatch.
Kirby.	Walker.
Kirkland.	Wallace of Panola.
Land.	Wallace of Smith.
Lipscomb.	Ware.
Loftin.	Wassell.
Long.	Webb.
McCombs.	Wells.

Whitaker.
Williams
of Sabine.
Williams
of Travis.

Woodruff.
Young.

Nays—4.

Avis.
Enderby.

Van Zandt.
Woodall.

Present—Not Voting.

Anderson.

DeBerry.

Absent.

Acker.
Albritton.
Bass.
Beck.
Brown.
Cox.
Cummings.
Denman.
Dielmann.
Dunlap.
Eickenroht.
Faulk.
Fly.
Foster.
Fuchs.
Gates.
Gilbert.
Johnson.
Jones.
Keeton.
Kemble.
King of Hopkins.
King of
Throckmorton.

Loy.
Masterson.
Merritt.
Morse.
Moursund.
Poage.
Reagan.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Shelby.
Sheats.
Shirley.
Smith of Atascosa.
Smith of El Paso.
Smyth.
Snelgrove.
Stevenson.
Sutton.
Waddell.
Wallace
of Freestone.
Williamson.

Absent—Excused.

Justice.
Kinnear.

McKean.
Pool.

SENATE BILL NO. 279 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 279, A bill to be entitled "An Act creating Road District No. 3 in San Patricio county, Texas."

The bill was read second time and was passed to third reading.

(Speaker in the chair.)

HOUSE BILL NO. 612 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 612, A bill to be entitled

"An Act to restore the jurisdiction of the county court of Mason county."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 318 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 318, A bill to be entitled "An Act to amend Article 6819 of the Revised Civil Statutes of Texas, 1925, fixing the compensation of the reporter of the Court of Criminal Appeals of Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 364 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 364, A bill to be entitled "An Act amending Article 1302 of the Revised Civil Statutes of 1925, so as to authorize the formation of private corporations for the purposes of acquiring, owning and colonizing land, provided that no such corporation shall acquire or own more than — acres of land in this State; repealing any law or part of law in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 598 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 598, Relative to the compensation of grand jury bailiffs.

The bill was read second time.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 598 as follows: Line 15, between "each" and "grand," insert the word "riding."

The amendment was adopted.

House bill No. 598 was then passed to engrossment.

SENATE BILL NO. 449 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 449, A bill to be entitled

"An Act amending Chapter 25, Section 138, of the General Laws of the Thirty-ninth Legislature of the State of Texas, passed at the Regular Session, relating to the organization and government of water control and improvement districts, and authorizing said districts to sell surplus water for irrigation purposes for lands other than those included in the district, and to supply certain water to other districts and for other purposes; removing the restriction as to the period for which sale of water may be made, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 349 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 349, A bill to be entitled "An Act to extend the time and keep in force for a period of three years from March 5, 1927, Oil and Gas Permit No. 9369, on 156.3 acres of the bed of the San Jacinto River, Harris county, Texas, upon the same terms and conditions on which the original permit was issued, and declaring an emergency."

The bill was read second time and was passed to third reading.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 561.

On motion of Mr. Teer, the following Conference Committee report was ordered printed in the Journal:

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Barry Miller, President of the Senate, and Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sirs: Your Conference Committee on House bill No. 561 have had the same under consideration and have adjusted the difference between the House and the Senate, and recommend the passage of the following substitute bill:

H. B. No. 561.

By Teer.

A BILL

To Be Entitled

An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State government, as named herein, for the

balance of the fiscal year ending August 31, 1927, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money be, and the same are hereby, appropriated out of any funds in the State treasury, not otherwise appropriated, to cover emergency appropriations for the several institutions and departments of the State government named herein for the balance of the fiscal year ending August 31, 1927, which appropriations shall be for the emergencies hereinafter stated:

University of Texas.

Summer school, 1927.....	\$110,000.00
Unpaid premiums on insurance in force to August 31, 1927	8,500.00
College of Mines and Metallurgy, El Paso, boiler for heating plant.....	3,000.00
To purchase one acre of land to complete the Brackenridge tract on West Sixth Street	2,500.00
To purchase property of Mrs. Nina Von Rosenberg, 114 ft. by 130 ft. on Whitis Ave. between 25th and 26th Sts.	25,000.00
Equipment and repairs for electrical engineering.....	8,500.00
Equipment and repairs for aeronautical engineering...	5,000.00
Furniture and furnishings for Littlefield dormitory.....	50,000.00
Improvements on old Blind Institute property now used as dormitory; furniture and additional dormitory space for men.....	45,000.00
Repairs to Administration building at Galveston.....	20,500.00
Deficit on water, lights and fuel, President's home.....	300.00
Total	\$278,300.00

Agricultural and Mechanical College of Texas.

For maintenance of College steam plant	\$ 20,000.00
Departmental maintenance	10,000.00
For extension of tunnel, sewer, water main and plumbing, to be available July 1, 1927.....	10,000.00
For two fireproof dormitories	300,000.00

For use of Agricultural and Mechanical College at any place in this State, through its experimental station system or otherwise, in connection with flea hopper investigation and control or investigation and research relative to any other destructive insect or pest 15,000.00

Total \$355,000.00

Research Work by Texas Agricultural Experiment Station in the Study of Cotton Root Rot Disease.

One pathologist to have headquarters at Root Rot Field Laboratory at Temple (six months) \$ 1,800.00

One botanist to have headquarters at Root Rot Field Laboratory at Temple, to study the host plants of cotton root rot fungus... 1,500.00

One physiological chemist to have headquarters at Root Rot Field Laboratory to study the physiological and chemical relationship of the soils and the plants to cotton root rot disease (six months) 1,800.00

Labor necessary in connection with the intensive operation of 50 acres of experimental work with cotton root rot disease at Temple 3,000.00

Additional land needed for exclusive study of root rot problems 6,000.00

Teams, tools, implements, machinery, fences and equipment 3,700.00

One laboratory building.... 3,000.00

Scientific apparatus and equipment, providing working conditions and facilities for plant pathologist, botanist and physiological chemist 6,000.00

Travel of pathologist, botanist and physiological chemist to and from other root rot infested areas where contacts should be maintained 1,500.00

One trained laboratory technician stationed at the indoor laboratory, College Station 1,500.00

One plant pathologist to be located at Substation No. 16, Iowa Park, near Wichita Falls, to study root rot disease affecting alfalfa... 1,800.00

Labor and equipment in connection with alfalfa root rot experiments at Substation No. 16, Iowa Park.... 800.00

One plant pathologist to be located at Substation No. 15, Weslaco, to study root rot disease affecting truck and fruits in the Rio Grande Valley..... 1,800.00

Labor and equipment in connection with truck and fruit root rot experiments at Substation No. 15, Weslaco 800.00

Total \$ 35,000.00

John Tarleton Agricultural and Mechanical College.

Fuel, lights, and water.....\$ 7,000.00

Summer school..... 4,000.00

Equipment for mess hall .. 6,500.00

Repairs to buildings..... 5,000.00

Total \$ 22,500.00

North Texas Agricultural College.

Fuel, light, heat, water and power\$ 2,700.00

Departmental maintenance.. 4,000.00

Total \$ 6,700.00

College of Industrial Arts.

For remodeling former library quarters in administration building and turning this space into class rooms, and providing furniture therefor.....\$ 3,500.00

To pay teachers now on payroll from local funds..... 32,850.00

Summer school..... 8,000.00

Total \$ 44,350.00

Texas Technological College.

Summer school, 1927.....\$ 47,350.00

Fuel and lights..... 5,000.00

Salaries for long term..... 61,628.00

Total \$113,978.00

East Texas State Teachers' College.

Summer term, 1927.....\$ 20,000.00

North Texas State Teachers' College.

Summer school, 1927.....\$ 10,000.00

Additional land.....	20,000.00	Court of Civil Appeals, Third District, Austin, Texas.	
Total	\$ 30,000.00	Ice	\$ 21.49
Sam Houston State Teachers' College.		Stationery	177.40
Summer school, 1927.....	\$ 12,000.00	Total	\$ 198.89
Stephen F. Austin State Teachers' College.		Court of Civil Appeals, Fourth District, San Antonio, Texas.	
To employ additional instruc- tors during spring term, 1927	\$ 3,000.00	Books for library.....	\$ 917.55
Summer school, 1927.....	12,000.00	Court of Civil Appeals, Fifth District, Dallas, Texas.	
Total	\$ 15,000.00	Books for library.....	\$ 227.80
South Texas State Teachers' College.		Court of Civil Appeals, Sixth District, Texarkana, Texas.	
Summer term, 1927.....	\$ 10,000.00	Stationery	\$ 67.50
Southwest Texas State Teachers' College.		Court of Civil Appeals, Seventh District, Amarillo, Texas.	
Fuel, water, light, heat, power and plumbing.....	\$ 3,500.00	Books for library.....	\$ 1,467.50
Summer school, 1927.....	12,000.00	New typewriter.....	100.00
Additional boiler, including installation, repairs and im- provement of heating plant	13,000.00	Total	\$ 1,567.50
Departmental maintenance, re- pairs and improvements...	14,560.00	Court of Civil Appeals, Ninth District, Beaumont, Texas.	
Total	\$ 43,060.00	Books for library.....	\$ 1,200.00
Sul Ross State Teachers' College.		Commission of Appeals, Section B.	
Summer term, 1927.....	\$ 1,500.00	Stenographer, from Jan. 11, 1927, to August 31, 1927, at \$125 per month.....	958.33
West Texas State Teachers' College.		Stationery, etc.....	672.50
Summer school, 1927.....	\$ 12,000.00	Total	\$ 1,630.88
Fuel, light, heat and power..	6,000.00	Court of Criminal Appeals.	
Repairs for President's home	2,000.00	Salaries to commissioners for April, May, June, July and August, 1927, at \$541.66 each.....	\$ 5,416.60
Departmental maintenance ..	2,000.00	Salaries to stenographers for April, May, June, July, Au- gust, 1927, at \$150 each..	1,500.00
Purchase of 200 acres of land known as T-Anchor Ranch.	13,000.00	Salary to one stenographer from Feb. 12 to March 31, at \$150 per month.....	235.00
Total	\$ 35,000.00	To pay for one set of S. W. Rep., Vol. 1 to 265 for the use of the commissioners..	526.50
Prairie View State Normal and In- dustrial College		Total	\$ 7,678.10
Maintenance of steam plant..	\$ 10,000.00	State's Attorney Before Court of Criminal Appeals.	
Judiciary.		One stenographer, Feb. 1, 1927, to August 31, 1927..	\$ 1,050.00
Court of Civil Appeals, First District, Galveston, Texas.		Departmental.	
Books for library.....	\$ 400.00	Executive Department.	
Fuel and lights.....	4.02	Contingent expense.....	\$ 200.00
Total	\$ 404.02		
Court of Civil Appeals, Second District, Fort Worth, Texas.			
Books for library.....	\$ 75.00		

Furniture, fixtures, repairs
and typewriter..... 1,500.00
Total\$ 1,700.00

Mansion and Grounds.

Fuel, lights, ice, telephone
and water.....\$ 1,000.00

Adjutant General.

The following amount or so
much thereof as may be
necessary to pay expense of
transportation, storage and
distribution of captured
German World War trophies
in accordance with
the provisions of Senate
concurrent resolution No.
28, accepting on behalf of
the State of Texas said
German World War trophies

Office of the Attorney General.

Restoration of salary of
First Assistant, Feb. 1,
1927, to Aug. 31, 1927...\$ 2,333.34
Stenographers, filing clerks
and telephone operator... 1,750.00
Furniture, fixtures, filing
cabinets, repairs, floor cov-
erings, office improve-
ments 3,000.00
Costs in civil cases in which
the State, or heads of any
department, is a party... 1,500.00
Traveling expenses incurred
by Attorney General, or
any of his Assistants or
representatives, in giving
attention to the State's
business 2,000.00
Total\$ 10,583.34

Agricultural Department.

Horticultural Division.

Salary of one plant pathol-
ogist from March 1 to Au-
gust 31, 1927, at \$175 per
month\$ 1,050.00
One nursery inspector at
\$150 per month from
March 1 to August 31,
1927 900.00
Three pecan experts from
March 1 to August 31,
1927, at \$150 per month.. 2,700.00
Citrus canker eradication.... 7,500.00
Provided, that any employe of
the department appointed
to carry on the work of
eradicating citrus canker

shall be an expert with at
least five years' experience
in citrus canker eradication
work.

Division of Weights and Measures.

Two inspectors of weights and
measures from March 1 to
August 31, 1927, at \$125
per month.....\$ 1,500.00
One truck, 3½-ton capacity.. 4,750.00
8,000 lbs. test weights..... 500.00
To exchange two old cars for
new cars and pay the differ-
ence 1,500.00

Division of Entomology.

Pink boll worm eradication.. 4,000.00

Total\$ 24,400.00

Board of Pardon Advisers.

Contingent expenses.....\$ 125.00

Comptroller's Department.

To pay salary of District At-
torney for One Hundred
and Sixth Judicial District
at \$41.66 per month for the
fiscal year ending August
31, 1926.....\$ 500.00
To pay salary of District At-
torney for One Hundred and
Sixth Judicial District at
\$41.66 per month for the
fiscal year ending August
31, 1927..... 500.00
To pay salary of District At-
torney for Thirty-fourth
Judicial District of Texas,
composed of El Paso, Hud-
speth and Culberson coun-
ties for the year ending Au-
gust 31, 1927..... 3,666.66
To pay salary of Assistant
District Attorney for
Thirty-fourth Judicial Dis-
trict of Texas, composed of
El Paso, Hudspeth and Cul-
berson counties for the year
ending August 31, 1927.... 2,400.00
To pay salary of Second As-
sistant District Attorney for
Thirty-fourth Judicial Dis-
trict of Texas, composed of
El Paso, Hudspeth and Cul-
berson counties for the year
ending August 31, 1927... 2,133.28
To pay salary of judge of
One Hundred and Eighth
Judicial District from Feb-
ruary 8, 1927 to August 31,
1927 2,231.00

To pay salary of judge of Eighty-fourth Judicial District from February 28, 1927, to August 31, 1927..	2,300.00
To pay salary of District Attorney of Eighty-fourth Judicial District from February 28, 1927, to August 31, 1927	2,000.00
To pay salary of judge of Ninety-ninth Judicial District from March 1 to August 31, 1927.....	2,000.00
To pay Mexican War veterans for the year ending August 31, 1926.....	3,000.00
To pay Mexican War veterans for the year ending August 31, 1927.....	3,000.00
To supplement the traveling expense account for the State Comptroller's Department for the year ending August 31, 1927.....	10,000.00
For the purchase of material and labor for the construction of emergency filing cases for the preservation of records in the basement of the State Comptroller's Department	2,500.00
To pay Hon. Norman G. Kittrell, Special Chief Justice of the Supreme Court, for services to the Supreme Court of Texas in the case of Mrs. J. G. Wirtz vs. Sovereign Woodmen of the World, No. 4130, for three days in May, 1925, at the rate of \$18.00 per day....	54.00
To pay salary of judge of the One Hundred and Fourth Judicial District from February 1, 1927, to August 31, 1927	2,500.00
To salary of district attorney of the One Hundred and Fourth Judicial District from February 1, 1927, to August 31, 1927.....	2,000.00
To pay Mexican Foreign Office costs of court for interpreter in the extradition proceedings of F. W. Jaeggli	30.00
To pay expenses of Judge of One Hundred and Third Judicial District for holding court in Willacy county	400.00
Total	\$ 41,214.94

State Fire Insurance Commission.

Postage and box rent.....	\$ 1,000.00
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Provided, that the maintenance of the Division of Fire Insurance shall be paid out of the revenue obtained from the one and one-fourth per cent tax on the gross premiums of all fire insurance companies, in accordance with Section 29 of the State Fire Insurance Commission Law, passed by the Regular Session of the Thirty-third Legislature, and amended by the Regular Session of the Thirty-fifth Legislature, shall be paid into the State Treasury, and all unexpended balances at the end of the fiscal year shall remain in the State Treasury, to the credit of the State Fire Commission Fund as provided by law.

General Land Office.

Salaries of two draughtsmen, two bookkeepers and three general clerks at \$165 per month from Feb. 1, 1927, to August 31, 1927	\$ 8,085.00
Salary of one stenographer at \$125 per month from March 1, 1927, to August 31, 1927.....	750.00
Salary of one stenographer at \$125 per month from March 15, 1927, to August 31, 1927.....	687.50
Total	\$ 9,522.50

State Highway Department.

Files, desks, typewriters, adding and calculating machines	\$ 5,000.00
Amount due on 1926 contract for number plates.....	17,467.30
Total	\$ 22,467.30

Provided, that the above and foregoing amounts appropriated herein for State Highway Department shall be out of the State Highway Fund upon warrants issued by State Comptroller as provided by Chapter 190, General Laws, Regular Session, 1917, and amendments

thereto; and provided further, that all funds coming into the State Highway Fund derived from registration fees or from other sources, after deducting the total of the foregoing, are hereby appropriated to the State Highway Department for the establishment of a system of State highways and the construction and maintenance thereof as contemplated and set forth in Chapter 190, Acts 1917, and all acts amendatory thereto.

Industrial Accident Board.

Books, stationery, office supplies, etc.....\$ 1,500.00
Postage, post office box rent, telephone and telegraph... 400.00

Total\$ 1,900.00

Library and Historical Commission.

Books and stationery.....\$ 11.49

Department of State.

To employ a person for one month to separate, classify and file papers and data in connection with pardons and executive clemency and applications for same.....\$ 125.00

To pay outstanding accounts due to various newspapers over the State for the publication of the Constitutional Amendments, 1926.. 10,000.00

All the unexpended balance of the \$1,000 appropriation to be found on page 544, General Laws, Regular Session, Thirty-ninth Legislature for administrative expense, Blue Sky Division, for year ending August 31, 1927, is hereby transferred and appropriated for use by the Secretary of State to purchase filing cabinets, files and equipment for properly indexing charters and to purchase typewriters and for contingent expenses.

To employ a person or persons to prepare for the printer and compare the proof of the printer with the originals, the session laws enacted by the Leg-

islature and to do any and all things necessary to be done by the Secretary of State in reference to the printing of such laws.... 500.00

Total\$ 10,625.00

State Treasury.

Salary of one assistant auditor at \$150 per month beginning March 1, 1927, and ending August 31, 1927.....\$ 900.00

Department of Insurance.

Postage, post office box rent, stationery, telephone and telegraph\$ 2,000.00

Railroad Commission.

To adjust salary of chief clerk and accountant, gas utilities of Railroad Commission, to cover stenographic error in appropriation bill from September 1, 1925, to August 31, 1926\$ 400.00

September 1, 1926, to August 31, 1927..... 400.00

For stationery and printing, Gas Utilities Division, for fiscal year ending August 31, 1927..... 300.00

Total\$ 1,100.00

Board of Health.

Board of Health and expenses\$ 300.00

Main Office—

Office supplies..... 1,000.00

Contingent 5,000.00

Bureau of Child Hygiene—

Contingent 200.00

Silver nitrate..... 500.00

Communicable Disease—

Travel expenses..... 600.00

Food and Drug—

Laboratory supplies, equipment, serums, vaccines, scientific publications.... 1,000.00

Vital Statistics—

Stamps, telephone and telegraph 200.00

Engineering—

Short schools for water works operators, student engineers, etc..... 150.00

Telephone, telegraph, stamps 500.00

Deficiency warrants out-

standing for contingent fund, entire department.	2,000.00	Confederate Home.	
Total	\$ 11,450.00	Support and maintenance fund	\$ 12,000.00
Public Utilities and Grounds, Gonzales State Park.		Eight attendants	2,565.00
To purchase hose, tools, lawn-mowers and implements...	\$ 200.00	Joe Hughes' claim (inmate of Confederate Home)...	85.00
Department of Education.		Total	\$ 14,650.00
For printing biennial report.	\$ 2,500.00	Rusk State Hospital.	
For printing elementary course of study	2,000.00	Dry goods and clothing	\$ 15,000.00
Total	\$ 4,500.00	Wichita Falls State Hospital.	
Indian School, Polk County.		Construction tunnel for steam heat distribution	\$ 25,000.00
For the support of Indian school for years 1926-1927.	\$ 1,000.00	Juvenile Training School (Gatesville).	
Board of Prison Commissioners.		Support and maintenance	\$ 30,000.00
To pay accrued taxes, but no penalties, interest or costs, owed on State land constituting State farms of the State Prison System in Fort Bend, Houston, Bowie, Brazoria, Walker and Madison counties, to be paid on accounts sworn to as correct by the county judge of each said county, respectively, provided the Comptroller may require any additional satisfactory evidence as to such taxes, each said account to be approved by the Prison Board, the following sum or so much thereof as may be necessary	\$ 38,918.28	For extension of sewer and construction of sewage disposal plants	7,600.00
Eleemosynary.		Total	\$ 37,600.00
Abilene State Hospital.		Terrell State Hospital.	
Support and maintenance	\$ 20,000.00	Enlargement and improvement of sewage disposal plant	\$ 10,250.00
Four attendants	1,260.00	San Antonio State Hospital.	
Cook	280.00	For repairs and additions to sewage disposal plant	\$ 10,000.00
Total	\$ 21,540.00	One new boiler, pipe, gas burners and resetting old boilers, the appropriation herein made to be available July 1, 1927	20,000.00
Austin State Hospital.		Total	\$ 30,000.00
Support and maintenance fund	\$ 20,000.00	Confederate Women's Home.	
Austin State School.		Central heating plant and equipment	\$ 11,000.00
For enlargement of power house, new boiler and tunnel system	\$ 50,000.00	State Tuberculosis Sanatorium.	
		For elevator and equipment for new infirmary building to be opened about June 1, the appropriation herein made to be available July 1, 1927	\$ 15,000.00
		Support and maintenance for this new building, the appropriation herein made to be available July 1, 1927	\$ 10,000.00
		Total	\$ 25,000.00
		The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein and	

no expenditures shall be made nor shall any obligations be incurred which, added to the actual expenditures, will exceed the amounts herein appropriated for either of said purposes and any sums not used for the purpose named herein shall revert to the State Treasury.

Sec. 2. The fact that the appropriations heretofore made for the above items are exhausted or will become exhausted before the expiration of the time for which the same were appropriated, creates an emergency and an imperative public necessity which justifies the suspension of the constitutional rule requiring bills to be read on three several days in each house, and the rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Recapitulation.

Educational	\$1,032,386.00
Judiciary	15,017.00
Departmental	209,617.85
Eleemosynary	260,040.00

Grand total\$1,517,061.09

Respectfully submitted,

TEER,
BARRON,
WALLACE of Freestone,
PARRISH of Travis,
SATTERWHITE,

On the part of the House.

WOOD,
PARR,
HALL,
BOWERS,
STUART,

On the part of the Senate.

SENATE BILL NO. 338 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 338, An amendatory act relative to water improvement districts.

The bill was read second time.

Mr. Montgomery offered the following amendments to the bill:

Amend by striking out all above the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act to amend Chapter 2, of Title 128, of the Revised Statutes of 1925, relating to water improvement districts by providing that lands in any such district lying within or adjoining the territorial limits of an

incorporated city or town, which was not included in such district at time of the organization of such district, and which lands have been subdivided into town lots and blocks, with streets or other thoroughfares dedicated to the use of the public, and of which a map and such dedication has been duly filed for record with the county clerk of the county in which such lands are situated, may be discontinued as part of such district; providing that the board of directors may pass resolutions excluding such territory; providing that the owners of such land may petition the district for an election to determine the question of whether the lands shall be withdrawn, and for the holding of such an election and providing that lands so withdrawn shall no longer be entitled to be served with water from the irrigation system, and that such lands shall be charged with their pro rata part of existing indebtedness of the said district, and providing that the owner or owners of such lands may pay the total of their pro rata at any time."

Amend by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. Whenever there exists within the limits of any water improvement district, organized and operating under Title 128, Chapter 2, of the Revised Statutes of 1925, any lands lying within or adjoining the territorial limits of an incorporated city or town, which was not included in such district at time of the organization of such district, and which lands have been subdivided into town lots and blocks, with streets or other thoroughfares dedicated to the use of the public, and of which a map and such dedication has been duly filed for record with county clerk of the county in which said lands are situated, the board of directors of such water improvement district may by resolution duly passed, discontinue said territory as a part of said district; and when said resolution has been duly passed, it shall be entered by the secretary of the district in the minutes of the board of directors of said district, and from and after said entry, said territory shall cease to be a part of said district, and the said territory so excluded, shall no longer be entitled to be served with water from such irrigation system, or by said district.

Sec. 2. The owner or owners of the fee of any such lands containing not less than ten acres, and constituting a portion of any water improvement district,

may file with the board of directors of said district, a petition praying that such lands owned by them be excluded from said district. The petition shall describe the lands which the petitioners desire to have excluded, by metes and bounds. When such petition has been filed with the secretary of said district, the board of directors of said district shall order an election to be held at a convenient place or places within said district within thirty days thereafter, and if a majority of the qualified voters living in said district, and voting at such election cast their votes in favor of discontinuing said territory as a part of said district, the board of directors shall declare such territory no longer a part of said district, and there shall be entered upon the minutes of the board of directors, an order to that effect, and from and after such entry, said territory shall cease to be a part of said district, and such excluded lands shall no longer be entitled to be served with water from such irrigation system or by said district.

Sec. 3. Whenever any territory shall be excluded from a water improvement district as provided herein, either by Section 1 or Section 2 of this act, and said water improvement district shall, at the time of such withdrawal owe any debts by bond or otherwise, such withdrawn territory shall not be released from the payment of its pro rata of such indebtedness, but it shall be the duty of said district to continue to levy taxes each year on the property in such territory at the same rate as is levied upon other property of such district, until the taxes collected from said territory shall equal its pro rata share of the indebtedness of said district at the time of withdrawal. The taxes so collected shall be charged only with the cost of levying and collecting same, and the same shall be applied exclusively to the payment of said pro rata share of indebtedness. Nothing herein shall be construed to prevent the owner of any lands in said territory from paying in full, at any time, his pro rata share of the indebtedness, both principal and interest, of said district.

Sec. 4. The fact that there is not now any law authorizing the excluding of lands from a water improvement district after a bonded indebtedness has been placed on such lands, where such lands have no longer any need for irrigation and have lost their character as farm lands, and have converted into urban or suburban uses, creates an emergency and an imperative public necessity

that the constitutional rule requiring bills to be read on three separate days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The amendments were severally adopted.

Senate bill No. 338 was then passed to third reading.

SENATE BILL NO. 153 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 153, A bill to be entitled "An Act amending Article 6203, Title 108, of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time and was passed to third reading.

HOUSE BILL NO. 494 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 494, A bill to be entitled "An Act concerning the preparation and filing statement of facts and bills of exceptions."

The bill was read second time and was passed to engrossment.

SENATE BILLS AND RESOLUTION ON FIRST READING.

The following Senate bills and resolution, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees as follows:

S. J. R. No. 25, to the Committee on Constitutional Amendments.

S. B. No. 453, to the Judiciary Committee.

S. B. No. 481, to the Committee on Highways and Motor Traffic.

RECESS.

Mr. Kemble moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Tillotson moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Bonham moved that the House recess to 8 o'clock p. m. today.

Mr. Barnett moved that the House recess to 8:15 o'clock p. m. today.

The motion of Mr. Kemble prevailed, and the House, accordingly, at 6:25

o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills and resolutions as follows:

State Affairs: Senate bills Nos. 64, 133.

Game and Fisheries: Senate bill No. 484.

Conservation and Reclamation: Senate bills Nos. 191, 222, 448, 449.

Insurance: Senate bills Nos. 222, 253.

Highways and Motor Traffic: Senate bills Nos. 250, 428, 455, 479, 471, 468, 470, 477, 326.

Constitutional Amendments: Senate joint resolution No. 14.

Appropriations: Senate bills Nos. 473, 482.

Education: Senate bills Nos. 480, 469.

Common Carriers: House bill No. 643; Senate bill No. 144.

Judiciary: House bills Nos. 651; Senate bills Nos. 478, 196.

Municipal and Private Corporations: Senate bill No. 304.

The following standing committee has today filed adverse report on bill as follows:

State Affairs: House bill No. 639.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 550, A bill to be entitled "An Act to establish a more efficient system of public roads for Live Oak county, and to empower the commissioners court thereof to provide rules and regulations therefor; to provide for the condemnation of private property for road purposes; providing that the county commissioners of Live Oak county shall each be ex-officio superintendents of their respective commissioners precincts; to create Road District No. 8 in Live Oak county; validating and approving all orders made by the commissioners court of said county

in respect to the organization of said district; validating the authorization, issuance and sale of certain road bonds thereof and authorizing the commissioners court to issue and sell any of said bonds remaining unissued and unsold, and providing for their payment by the annual levy, assessment and collection of a general ad valorem tax on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said district bonds and taxes, or certified copies thereof, and constituting such orders legal evidence, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 366, A bill to be entitled "An Act to validate the grants of land made by the Crown of Spain to Juan Antonio Vidaurri, his heirs and assigns, of Porciones 39 and 40, lying and being situated in Zapata county, Texas, and to authorize the Commissioner of the General Land Office to issue patents to Juan Antonio Vidaurri, his heirs and assigns, of said porciones, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 491, A bill to be entitled "An Act authorizing county boards of school trustees to make provision for the prompt payment of teachers' salaries by authorizing county depository banks to charge interest on vouchers from the date of issuance until their liquidation; authorizing the county boards to require depository banks to make financial reports as to resources and needs of school districts; repealing all laws in conflict herewith, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 492, A bill to be entitled "An Act amending Articles 2237, 2239 and 2243 of Chapter 11 of the Revised Civil Statutes of the State of Texas of 1925, prescribing the rules for the preparation and filing of bills of exception and statement of facts, by adding a new subdivision to Article 2237, providing that under certain conditions bills of exception shall not be necessary, and by amending Article 2239 so as to provide that it shall not be necessary to prepare a statement of facts in the narrative form; by amending Article 2234, providing that it shall not be necessary for a statement of facts to be reduced to narrative form,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 615, A bill to be entitled "An Act amending Article 2839, Revised Statutes of 1925, Section 1, Chapter 176, Acts of the Thirty-ninth Legislature, providing for permanent text book commission for the State of Texas; providing for membership of said board and for their method of appointment; providing for prescribed qualifications of its members; providing for their term of office; providing for the amendment of Article 2840, Section 2, Chapter 176, Acts of the Thirty-ninth Legislature; providing for the filing of affidavits of qualification for said members; providing for the amendment of Article 2842, Revised Statutes of 1925, Section 4, Chapter 176, Acts of the Thirty-ninth Legislature; providing for the continuing and discontinuing of text books; providing for the amendment of Article 2846, Revised Statutes of 1925, Section 8, Chapter 176, Acts of the Thirty-ninth Legislature; providing for notices of meetings of said board to be given; providing for the deposit of samples of

each book on which bids may be submitted; providing for bids and cash deposits for all publishers making such bids; providing for amendment of Article 2847, Revised Statutes of 1925, Section 9, Chapter 176, Acts of the Thirty-ninth Legislature; providing for the filing of bids therefor f. o. b. at Texas bidders' depository; providing for the filing of affidavits by each bidder; providing for amendment of Article 2849, Section 11, Chapter 176, Acts of the Thirty-ninth Legislature, providing for the submitting of bids in two forms with or without exchange privileges; providing for the amendment of Article 2852, Revised Statutes of 1925, Section 14, Chapter 176, Acts of the Thirty-ninth Legislature, providing for books to be bought at reduced prices; providing for the exclusive use of State adopted text books in the public free schools of the State of Texas for a period not to exceed six years; providing for the amendment of Article 2871, Revised Statutes of 1925, Section 35, Chapter 176, Acts of the Thirty-ninth Legislature, providing for depositories in the State of Texas,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 282, A bill to be entitled "A Special Act applying to Dallas county only, providing for the maintenance and operation of a city-county hospital system for the city of Dallas and Dallas county, and for the appointment of a governing board, terms of office of the governing board, for the levying and collection of taxes, for the disbursement of funds, and for the government and operation for a complete general city-county hospital system, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 569, "An Act relating to the State Prison System; providing appropriations to pay the outstanding debts of the Prison System which are now due or which may mature prior to the first day of September, A. D. 1927; making appropriations for support and maintenance of the Prison System until the first day of September, A. D. 1927; providing how said moneys shall be paid and become available; enacting provisions relative to moneys now on hand by the Prison System; providing that hereafter all moneys received by the Prison System shall be placed in the State Treasury to the credit of the general revenue fund and no moneys shall be paid out except upon sworn accounts and on warrants drawn by the Comptroller as provided for by general laws of this State in reference to other departments of the State government, and pursuant to appropriations made by the Legislature; providing all things necessary to carry out the main purpose of this act; providing that no part of any appropriations made by this act shall be used for certain purposes named in the act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 398, "An Act to provide for the designing, purchase and installation of a memorial tablet in the Texas Memorial Stadium, commemorating the services of Texas men and women who served in the World War; providing for a committee to design, select and install the tablet herein provided for; making an appropriation for all expenses incident thereto, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 10, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 20, Proposing an amendment to Section 2, Article 8, of the Constitution of the State, so as to author-

ize the Legislature to exempt from taxation any property owned by a church or by a strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, and which yields no revenue whatever to such church or religious society, and property used exclusively and reasonably necessary in conducting any association engaged in promoting the religious, educational and physical development of boys, girls, young men or young women, operating under a State or National organization of like character; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor, Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 300, "An Act requiring uniform fire hose couplings and fire hydrant hose outlets in all cities and towns having public fire protection; setting forth specifications for uniform couplings and outlets; providing for carrying on the work of making all couplings and outlets uniform; making appropriation for salaries, traveling expenses and all other expenses necessary for placing in effect the provisions of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 25, Proposing an amendment to the Constitution of the State of Texas, amending Article 8 by the insertion of Section 1a therein, authorizing the Legislature to provide for the separation of the objects of taxation for State purposes and for the support of the counties, districts and political subdivisions of the State and counties, and authorizing the Legislature to provide for the levy of an ad valorem tax or other form of tax, for State purposes only, and for local purposes, only; authorizing the Legislature to provide for

the classification of objects of taxation and providing that rates shall be equal on the same class of property, and fixing limitations upon taxation,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room.

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 317, "An Act to amend Section 5 and Section 6, of Chapter 37 of the General Laws enacted at the Regular Session of the Thirty-ninth Legislature, pages 166 to 169 of the General Laws of the Regular Session of the Thirty-ninth Legislature of the State of Texas,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room.

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 585, "An Act to amend Article 1422 of the Penal Code of the State of Texas for 1925, so as to provide that the punishment for theft of property of the value of five dollars or under shall be by fine not exceeding two hundred dollars, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room.

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 614, "An Act to create a special and more efficient road system for Jasper county, in the State of Texas, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts upon the public roads, bridges and streets: providing for the amount of credit he shall

receive for such work and providing for commutation of sentence of faithful service and providing for the hiring of county convicts to individuals of the county for either public or private employment," etc.,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 275, "An Act amending Article 1601 of the Revised Civil Statutes of 1925, relating to elections for the removal of county seats; reducing the time within which applications may be made and elections held to remove county seats in certain instances, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 528, "An Act authorizing the commissioners court of Jefferson county, Texas, to purchase automobiles for the use of the commissioners when acting as road supervisors under appropriate regulations of said court, and providing for the reports thereon to the auditor and limiting the amount to be expended therefor, and providing for the marking of said cars and a penalty for failure to mark, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

THIRTY-SEVENTH DAY.

(Continued.)

(Saturday, March 12, 1927.)

The House met at 9 o'clock a. m. and was called to order by Speaker Bobbitt.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Satterwhite, Senate bill No. 476 was ordered not printed.

On motion of Mr. DeBerry, Senate bill No. 441 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 72, A bill to be entitled "An Act to amend Chapter 5, Acts of the Third Called Session of the Thirty-eighth Legislature, Article 7065, Revised Civil Statutes of 1925, by providing for an occupation tax upon wholesale dealers in gasoline equal to three cents per gallon on all such gasoline so sold by any dealer; repealing all laws in conflict with said amendment, and declaring an emergency," with amendment.

Respectfully,
W. V. HOWERTON,
Secretary of the Senate.

SENATE BILL NO. 228 ON PASSAGE
THIRD READING.

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 228, A bill to be entitled "An Act to control the flood waters of the Trinity River; declaring that a great public calamity exists in the Trinity River Valley that requires immediate legislation for the prevention of the loss of lives and property in said county; providing for the voting and authorization of bonds for retarding and controlling the flood waters of the Trinity River; providing a method by which Tarrant County Water Control and Improvement District No. 1 may co-operate with the State of Texas in the construction of flood storage and retarding basins by which and through which the flood waters of the Trinity River will be controlled or retarded, etc., and declaring an emergency."

The bill was read second time.

Mr. Swain moved the previous question on the passage of the bill to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion for the main question was lost by the following vote:

Yeas—48.

Mr. Speaker.
Alexander.
Barnett.
Barron.
Boon.
Brice.
Duvall.
Fly.
Forbes.
Gray.
Hagaman.
Hefley.
Holland.
Johnson.
Keeton.
Kincaid.
Kirkland.
Loy.
Masterson.
Montgomery.
Morse.
Moursund.
Murphy.
Nicholson.
Pool.

Pope.
Ramsey.
Rawlins.
Renfro
of Angelina.
Renfro of Mills.
Sanders.
Shaver.
Shearer.
Smyth.
Snelgrove.
Stell.
Sutton.
Swain.
Teer.
Van Zandt.
Veatch.
Wallace of Smith.
Webb.
Wells.
Whitaker.
Williams
of Sabine.
Woodruff.
Young.

Nays—65.

Acker.
Albritton.
Anderson.
Avis.
Bateman.
Bird.
Black.
Boggs.
Bonham.
Cummings.
Dunlap.
Enderby.
Eickenroht.
Faulk.
Finlay.
Gates.
Gibson.
Gilbert.
Graves.
Hall.
Harding.
Harman.
Hogg.
Hornaday.
Jacks.
Jones.
Kenyon.
King of
Throckmorton.
Kirby.
Land.
Lipscomb.
Loftin.
Long.
McCombs.

McGill.
Merritt.
Minor.
Nabors.
Olsen.
Parish of Runnels.
Pavlica.
Pearce.
Poage.
Porter.
Powell.
Reagan.
Rogers of Hays.
Rogers of Shelby.
Runge.
Satterwhite.
Sheats.
Shirley.
Simmons.
Sinks.
Smith of Atascosa.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Storey.
Stout.
Taylor.
Tillotson.
Turner.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wassell.

Williams
of Travis.

Woodall.

Present—Not Voting.

Cornwell. Kemble.
DeBerry. Absent.

Bass.	High.
Beck.	Holder.
Branch.	Kayton.
Brown.	Kennedy.
Conway.	King of Hopkins.
Cox.	Parrish of Travis.
Daniel.	Petsch.
Davis.	Purl.
Denman.	Rowell.
Dielmann.	Stevenson.
Farrar.	Waddell.
Foster.	Ware.
Fuchs.	Williamson.

Absent—Excused.

Justice. McKean.
Kinnear.

Mr. Veatch moved the previous question on the passage of the bill to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—84.

Mr. Speaker.	Johnson.
Anderson.	Jones.
Avis.	Keeton.
Barnett.	Kennedy.
Barron.	Kincaid.
Boggs.	King of
Boon.	Throckmorton.
Branch.	Lipscomb.
Brice.	Loy.
Brown.	Masterson.
Conway.	McGill.
Cornwell.	Merritt.
Cummings.	Montgomery.
Davis.	Morse.
Dunlap.	Moursund.
Duvall.	Murphy.
Enderby.	Nicholson.
Finlay.	Parrish of Travis.
Fly.	Pool.
Forbes.	Pope.
Gilbert.	Ramsey.
Graves.	Rawlins.
Gray.	Reagan.
Hall.	Renfro
Harding.	of Angelina.
Harman.	Renfro of Mills.
Hefley.	Rogers of Shelby.
Holder.	Rowell.
Hornaday.	Runge.

Sanders.	Veatch.
Satterwhite.	Waddell.
Shaver.	Walker.
Shearer.	Wallace
Shirley.	of Freestone.
Simmons.	Ware.
Smith of Smith.	Wassell.
Smyth.	Webb.
Snelgrove.	Williams
Stell.	of Sabine.
Swain.	Woodruff.
Teer.	Young.
Van Zandt.	

Nays—30.

Acker.	Pearce.
Albritton.	Poage.
Bateman.	Porter.
Bird.	Powell.
Black.	Rogers of Hays.
Eickenroht.	Sinks.
Faulk.	Smith of El Paso.
Gibson.	Storey.
High.	Taylor.
Kirby.	Tillotson.
Kirkland.	Turner.
Land.	Wallace of Panola.
Long.	Williams
McCombs.	of Travis.
Minor.	Woodall.
Pavlica.	

Present—Not Voting.

Daniel.	Kemble.
DeBerry.	Olsen.
Jacks.	Stout.

Absent.

Alexander.	King of Hopkins.
Bass.	Loftin.
Beck.	Nabors.
Bonham.	Parish of Runnels.
Cox.	Petsch.
Denman.	Purl.
Dielmann.	Sheats.
Farrar.	Smith of Atascosa.
Foster.	Smith of Nueces.
Fuchs.	Stevenson.
Gates.	Sutton.
Hagaman.	Wallace of Smith.
Hogg.	Wells.
Holland.	Whitaker.
Kayton.	Williamson.
Kenyon.	

Absent—Excused.

Justice.	McKean.
Kinnear.	

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 228 then failed to pass to third reading by the following vote:

Yeas—48.

Barnett.	Bateman.
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Beck.	McCombs.
Boggs.	Montgomery.
Conway.	Moursund.
Cornwell.	Parrish of Travis.
Cox.	Petsch.
Cummings.	Poage.
Daniel.	Purl.
Davis.	Rawlins.
Dunlap.	Reagan.
Duwall.	Rogers of Hays.
Gates.	Runge.
Hagaman.	Shearer.
Harding.	Sheats.
Harman.	Shirley.
Hefley.	Smith of Atascosa.
Holder.	Smith of Smith.
Hornaday.	Smyth.
Jacks.	Stout.
Jones.	Taylor.
Kemble.	Tillotson.
Kirby.	Wassell.
Lipscomb.	Wells.
Masterson.	Woodruff.

Nays—81.

Acker.	Murphy.
Alexander.	Nabors.
Avis.	Olsen.
Barron.	Parish of Runnels.
Bird.	Pavlica.
Black.	Pearce.
Bonham.	Pool.
Boon.	Pope.
Branch.	Porter.
Brice.	Powell.
Brown.	Ramsey.
DeBerry.	Renfro.
Enderby.	of Angelina.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Shelby.
Faulk.	Rowell.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Gibson.	Simmons.
Gilbert.	Sinks.
Gray.	Smith of El Paso.
Hall.	Smith of Nueces.
High.	Snelgrove.
Hogg.	Stell.
Holland.	Stevenson.
Johnson.	Storey.
Keeton.	Swain.
Kennedy.	Teer.
Kincaid.	Turner.
King of	Van Zandt.
Throckmorton.	Veatch.
Kirkland.	Waddell.
Land.	Walker.
Loftin.	Wallace.
Long.	of Freestone.
Loy.	Wallace of Panola.
McGill.	Wallace of Smith.
Merritt.	Ware.
Minor.	Whitaker.
Morse.	Williams of Sabine.

Williams of Travis. Woodall.
Present—Not Voting.

Anderson. Absent.

Albritton.	Fuchs.
Bass.	Graves.
Denman.	King of Hopkins.
Dielmann.	Sutton.
Foster.	Williamson.

Absent—Excused.

Justice. McKean.

Paired.

Mr. Webb (present), who would vote "nay," with Mr. Kayton (absent), who would vote "yea."

Mr. Young (present), who would vote "nay," with Mr. Kenyon (absent), who would vote "yea."

Mr. Nicholson (present), who would vote "yea," with Mr. Kinnear (absent), who would vote "nay."

Reasons for Votes.

Mr. Speaker: Had I no other reason for voting "nay" I could not vote "yea" and be consistent. I am voting in accordance with the ruling of the Attorney General, the paid legal adviser of the State of Texas.

STELL.

The remission of taxes for flood control may be unconstitutional, and I will frankly admit that the principle is wrong but the flood of 1922 causing the death of 31 people in Fort Worth and the Trinity Valley prompts me to feel that there is merit in Senate bill No. 228, and I therefore vote "yea," hoping that other lives may be saved in the future.

BOGGS.

My reason for voting against the tax remission bill is I am guided by the Constitution of Texas.

MERRITT.

The idea and purpose is wrong. My district said nothing to me; they are depending upon me to look to the interests of the entire State and my judgment says that the principle is wrong. A small portion of the State has no right to make the rest of the State pay for something that benefits only the small area. If the area is subject to "calamities," let them move to spots of Texas as beautiful, prosperous and worthy of development without danger of life to those taking the risk for lust and gain. The State did not ask anyone to build

a town or live in the Trinity or any other river. Furthermore, the Attorney General has ruled the project at variance with the Constitution. It is true that Cameron county has paid more to the State in taxes since the remission granted by the Thirty-ninth Legislature than before, but the State has enough property and enough "principled people" that it does not need tax money gained by trampling the Constitution.

WHITAKER.

Mr. DeBerry moved to reconsider the vote by which the bill failed to pass to third reading and to table the motion to reconsider.

The motion to table prevailed:

SENATE BILL NO. 229 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 229, A bill to be entitled "An Act releasing the inhabitants of and property subject to taxation for levee improvement in city and county of Dallas Levee Improvement District and Dallas County Levee Improvement District No. 5, for a period of twenty-five (25) years from the payment of ad valorem taxes levied for State purposes, because of great public calamities in said levee districts caused by waters and calamitous overflows, as provided in Section 10, of Article 8 of the State Constitution, etc., and declaring an emergency."

The bill was read second time.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 229 then failed to pass to third reading by the following vote:

Yeas—40.

Barnett.	Holder.
Bateman.	Hornaday.
Beck.	Jacks.
Boggs.	Jones.
Conway.	Kemble.
Cornwell.	Kirby.
Cox.	Lipscomb.
Cummings.	Long.
Daniel.	Masterson.
Davis.	McCombs.
Dunlap.	Montgomery.
Duvall.	Moursund.
Gates.	Parrish of Travis.
Hagaman.	Petsch.
Harding.	Poage.
arman.	Purl.

Rawlins.	Smith of Smith.
Reagan.	Smyth.
Rogers of Hays.	Stout.
Runge.	Taylor.
Shearer.	Tillotson.
Sheats.	Wassell.
Shirley.	Wells.
Smith of Atascosa.	Woodruff.

Nays—82.

Acker.	Olsen.
Alexander.	Parish of Runnels.
Avis.	Pavlica.
Barron.	Pearce.
Bird.	Pool.
Black.	Pope.
Bonham.	Porter.
Boon.	Powell.
Branch.	Ramsey.
Brice.	Renfro
Brown.	of Angelina.
DeBerry.	Renfro of Mills.
Enderby.	Rogers of Shelby.
Eickenroht.	Rowell.
Farrar.	Sanders.
Faulk.	Satterwhite.
Finlay.	Shaver.
Fly.	Simmons.
Forbes.	Sinks.
Gibson.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Gray.	Snelgrove.
Hall.	Stell.
Hefley.	Stevenson.
High.	Storey.
Hogg.	Swain.
Holland.	Teer.
Johnson.	Turner.
Keeton.	Van Zandt.
Kennedy.	Veatch.
Kincaid.	Waddell.
King of	Walker.
Throckmorton.	Wallace
Kirkland.	of Freestone.
Land.	Wallace of Panola.
Loftin.	Wallace of Smith.
Loy.	Ware.
McGill.	Whitaker.
Merritt.	Williams
Minor.	of Sabine.
Morse.	Williams
Murphy.	of Travis.
Nabors.	Woodall.

Present—Not Voting.

Anderson.	Absent.
Albritton.	Fuchs.
Bass.	Graves.
Denman.	King of Hopkins.
Dielmann.	Sutton.
Foster.	Williamson.
	Absent—Excused.
Justice.	McKean.

Paired.

Mr. Young (present), who would vote "nay," with Mr. Kenyon (absent), who would vote "yea."

Mr. Webb (present), who would vote "nay," with Mr. Kayton (absent), who would vote "yea."

Mr. Nicholson (present), who would vote "yea," with Mr. Kinnear (absent), who would vote "nay."

Reason for Vote.

I vote "yea" on Senate bill No. 229 for same reason given for voting for Senate bill No. 228.

BOGGS.

Mr. Wallace of Freestone moved to reconsider the vote by which the bill failed to pass to third reading, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 259 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 259, A bill to be entitled "An Act to aid in protection of the property and lives of the citizens of Starr county from further disastrous and calamitous overflows and conserving and increasing the State revenue derived from said county by granting and donating to Starr county, for a term of twenty-five years, or so much thereof as may be necessary, a portion of the State ad valorem taxes levied and collected on property subject to taxation in said county, to be used in payment in part of interest and sinking fund of bonds to be issued by said county to provide for the construction of necessary protection, and declaring an emergency."

The bill was read second time.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 259 then failed to pass to third reading by the following vote:

Yeas—37.

Barnett.	Holder.
Beck.	Hornaday.
Conway.	Jacks.
Cornwell.	Jones.
Daniel.	Kemble.
Dunlap.	Kirby.
Gates.	Lipscomb.
Harding.	McCombs.
Harman.	Montgomery.

Moursund.
Parrish of Travis.
Petsch.
Purl.
Rawlins.
Reagan.
Rogers of Hays.
Runge.
Shearer.
Sheats.

Shirley.
Smith of Atascosa.
Smith of Smith.
Smyth.
Taylor.
Wallace of Smith.
Wassell.
Wells.
Woodruff.

Nays—83.

Acker.
Alexander.
Anderson.
Avis.
Barron.
Bird.
Black.
Boggs.
Bonham.
Boon.
Branch.
Brice.
Brown.
Cummings.
DeBerry.
Enderby.
Eickenroht.
Farrar.
Faulk.
Finlay.
Fly.
Forbes.
Gibson.
Gilbert.
Gray.
Hall.
Hefley.
High.
Hogg.
Holland.
Johnson.
Keeton.
Kennedy.
Kincaid.
King of
Throckmorton.
Kirkland.
Land.
Loftin.
Long.
Loy.
McGill.
Merritt.
Minor.

Morse.
Nabors.
Olsen.
Parish of Runnels.
Pavlica.
Pearce.
Poage.
Pool.
Porter.
Powell.
Ramsey.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Shelby.
Rowell.
Sanders.
Satterwhite.
Shaver.
Simmons.
Sinks.
Smith of El Paso.
Smith of Nueces.
Snelgrove.
Stell.
Stevenson.
Stout.
Swain.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Ware.
Whitaker.
Williams
of Sabine.
Williams
of Travis.
Woodall.

Absent.

Albritton.	Foster.
Bass.	Fuchs.
Bateman.	Graves.
Cox.	Hagaman.
Davis.	King of Hopkins.
Denman.	Masterson.
Dielmann.	Murphy.
Duvall.	Pope.

Storey.
Sutton.

Teer.
Williamson.

Absent—Excused.

Justice.

McKean.

Paired.

Mr. Webb (present), who would vote "nay," with Mr. Kayton (absent), who would vote "yea."

Mr. Young (present), who would vote "nay," with Mr. Kenyon (absent), who would vote "yea."

Mr. Nicholson (present), who would vote "yea," with Mr. Kinnear (absent), who would vote "nay."

Reasons for Vote.

I vote "nay" on the "tax remission" bills because they would, if passed, set a precedent that might ultimately lead to an almost total diversion of taxes to purposes such as these bills attempt. I believe the districts affected by these bills deserve assistance from the State, but under our Constitution it is impossible to aid them.

FINLAY.

Reasons for Vote on Senate Bills Nos. 228, 229 and 259.

If I had voted "yea" on these bills I could have done so only in open defiance of the Constitution, thereby impeaching the wisdom and integrity of our noble sires who wrote into the organic law of the land Article 8, Section 10 thereof. It is my conception of the Constitution that it is not an elastic document to be stretched to fit any and all circumstances, real or imaginary, but it is rather a sacred, inflexible instrument not to be shoved aside or subrogated to the expediency of the moment, an expediency existing only in mind and not in fact.

FAULK.

I voted against Senate bill No. 228, companion bills, because I am firmly convinced that it violates Section 10, Article 11, of the State Constitution. Believing as I do, that the act is unconstitutional, my duty compels me to vote against it regardless of my opinion of its merits as an economic and conservation enterprise.

FARRAR.

Mr. Wallace of Freestone moved to reconsider the vote by which the bill failed to pass to third reading and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 35, Recalling Senate bill No. 311 from the Governor's office for further consideration.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

RECALLING SENATE BILL NO. 311 FROM THE GOVERNOR.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 35, Recalling Senate bill No. 311 from the Governor.

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Governor of the State of Texas be requested to return Senate bill No. 311 to the Legislature; and that the Speaker of the House of Representatives and the President of the Senate be requested to erase their signatures from said bill, so that the same may be corrected.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 326, and requests the House for appointment of a free conference committee to adjust the differences. The following are appointed on the part of the Senate:

Senators Moore, Lewis, Stuart, Wood and Bledsoe.

And refused to concur in House amendment to Senate bill No. 455 and requests the House for appointment of a free conference committee to adjust the differences. The following are appointed as conferees on part of the Senate:

Senators Moore, Lewis, Stuart, Wood and Bledsoe.

Granted the request of the House for the appointment of a free conference committee to adjust the differences on House bill No. 59. The following are

appointed as conferees on part of the Senate:

Senators Fairchild, Lewis, Witt, Wood and Wirtz.

The Senate has agreed to concur in House amendments to Senate bill No. 242, and also to Senate bill No. 64 by vote of 21 yeas, and 0 nays.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILL NO. 69 ON THIRD READING.

On motion of Mr. Keeton, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 69, A bill to be entitled "An Act levying a State occupation tax on every person, firm, partnership, company, corporation, association, receiver, trustee, common law trust or other concern selling at retail cigars and cigarettes; defining person; defining wholesaler; defining retailer, to include sales to consumers in any quantity; enacting the necessary provisions to enforce the collection of the tax and to accomplish the purpose of the act; prescribing penalties for failure to comply with the requirements of the act; providing for reports to be made by retailers to the Comptroller of all purchases made and of all sales made and for payment of the tax; providing for wholesalers to report to the Comptroller all sales made to the retailers in Texas; providing for the disposition of funds received; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read third time.

Mr. Tillotson raised the point of order against consideration of House bill No. 69:

"That the bill had been taken up out of its regular order. That being taken up out of its regular order, it could not be considered, except upon an affirmative vote of two-thirds of the members of the House. That the regular suspension providing for suspending the rule on Mondays could not apply to the first four of the last six days of the session preceding sine die adjournment, in which said four days only bills could be taken up in their regular order on the calendar except by a two-thirds vote. That said rule is mandatory and when it is sought to lay before the House for action any bill out of its regular order a two-thirds affirmative vote must be recorded."

The Speaker overruled the point of order.

Mr. Tillotson raised the following point of order on House bill No. 69:

"That the bill is not properly before House.

"House bill No. 69, as substituted, presents to the House a bill which was a complete and distinctly different measure from the original bill. Different in character, being a sales tax instead of an occupation tax; different in the language and provisions of each section; and different in the methods by which it is sought to be administered; different in the duties devolved upon State officials in administration; and different in the penalties imposed. Being such a different bill and complete in itself, taking no part of the original measure in its form or methods of enforcement, it has no standing in the House, not being in conformity to the rules governing bills (Rule 18, page 510, etc., Texas Legislative Manual, 1913), never having been introduced in the House, referred to a committee and reported back to the House as required by Section 37, of Article 3 of the Constitution. If the substitute bill had retained any part of the original by which it might be identified, there might be some reason for holding it in order as an amendment, but in the entirely different character in which it appears it cannot be held as other than a new bill which has not taken the course designated by the Constitution."

The Speaker overruled the point of order.

Mr. Tillotson raised the following point of order against consideration of House bill No. 69:

"The substitute for House bill No. 69 is not a germane amendment.

"The Texas Legislative Manual Annotations of the Rules of the House, 1913, page 548, Section 1170, declares:

"Section 1170. The fact that the rules of the House provide that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment, and that the Constitution declares that no bill shall be so amended in its passage through either house as to change its original purpose narrows the scope of germaneness to such an extent that often many amendments which relate to the general subject of the original proposition, but which so change the original purpose of the bill or proposition by the elimination of essential parts thereof or by adding new matter on the same subject or by alterations in essential points are excluded. This necessarily limits and restricts amendments that are

germane to any subject. The fact that there is no protection in the courts against the violation of the constitutional provision prohibiting the changing the purposes of bills makes it imperative that a presiding officer, as well as legislator, strictly construe the rule, and must use due precaution in the consideration of the germaneness of an amendment.'

"The congressional precedents upon the subject of germane amendments is generally expressed in the following: Section 1171, page 549, Texas Legislative Manual, 1913, and Section 1172 of the same authority, as follows:

"Section 1171. Whether or not an amendment be germane should be judged from the provisions of its text rather than from the purposes which circumstances may suggest. (V. 5, 6603.)

"Section 1172. The rule that amendments shall be germane applies to amendments reported by committees. (V. 5, 5806.)'

"This rule is so clear in its declaration that 'Amendments which relate to the general subject of the original proposition, but which so change the original purpose of the bill by the elimination of essential parts thereof or by adding new matter on the same subject, or by alterations in essential points are excluded.'

"The original House bill No. 69 is an occupation tax on persons for carrying on an occupation. Its every provision declares that to be its purpose, to collect an occupation tax on dealers in cigars and cigarettes. The machinery provided is such as may be necessary to effectuate that purpose, providing specific duties for those who administer the law, and specific penalties for those who may violate the law.

"The substitute offered as an amendment is a sales tax pure and simple levied on certain products, based upon the sales price and requires the use of stamps as evidence of payment of the tax, and in no provision bears any reference to the character, provisions or methods of administration of the original bill. A new bill is substituted for the old, and under the rules is not a germane amendment.

"The substitute bill provides duties for the State Comptroller quite different from those in the original bill.

"The penalties provided in the two bills are different. Whereas, the original bill imposes a penalty not exceeding one thousand (\$1000) dollars for failure to make report, the substitute bill, in addi-

tion to a fine, provides in two sections for jail terms, one for a period of sixty days and one for as long as two years.

"In further support of the argument that the substitute or amendment is not germane to the original bill, consideration is requested to the ruling recorded on page 581, Section 1304, Texas Legislative Manual, 1913, in which it was held not germane to offer an amendment to a bill establishing a new civil court in Bexar county and an entirely new bill providing for a court with both civil and criminal jurisdiction.

"In this ruling Mr. Terrell of Bexar raised a point of order against the amendment, declaring it proposed an entirely new bill from the original. That the amendment was not germane because the original bill provided for the court to try civil cases only, whereas, the amendment proposed a court with both civil and criminal jurisdiction. The Chair sustained the point of order. Appeal being taken from the ruling, the Chair was sustained seventy-seven to ten.

"This ruling is cited because of the fact that the amendment, while covering the same general subject, added additional duties. In the proposed amendment to House bill No. 69 additional and different duties are imposed upon the Comptroller and other officials, and additional penalties are imposed. The original bill provides only a fine; the amendment provides a two-year jail sentence, which constitutes a very different form of penalty, and to justify such penalty there must be contemplated by the provisions of the amendment a very different form and purpose of the bill. The difference disclosed in the amendment to House bill No. 69 is quite as great as the difference in the ruling here quoted.

"By all the rules provided for the protection of the integrity of parliamentary procedure in enacting bills into statutes the substitute to, or amendment for, House bill No. 69 may not be held germane to the original bill."

The Speaker overruled the point of order.

Mr. Kemble raised a point of order on consideration of the bill at this time on the ground that the bill is not properly before the House, as the regular order of business has not been suspended in accordance with rules of the House to take up the bill.

The Speaker overruled the point of order.

Mr. Loftin raised a point of order on

consideration of the bill at this time on the ground that the bill is not properly before the House, as the regular order of business has not been suspended and that the House had not given unanimous consent to take up the bill.

The Speaker overruled the point of order.

Mr. Tillotson raised a point of order on consideration of the bill on the ground that an amendment had changed the purpose of the bill.

The Speaker overruled the point of order.

Mr. Wells raised a point of order, stating that the procedure at this time was for dilatory purposes and that the Speaker should not entertain any further points of order or permit any further discussion of points of order.

The Speaker declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

Question—Shall the House sustain the point of order?

The House sustained the point of order by the following vote:

Yeas—55.

Alexander.	Ramsey.
Avis.	Rawlins.
Barnett.	Renfro
Barron.	of Angelina.
Boggs.	Renfro of Mills.
Boon.	Rowell.
Branch.	Sanders.
Brown.	Satterwhite.
Conway.	Shaver.
Cox.	Shearer.
Enderby.	Sheats.
Faulk.	Simmons.
Forbes.	Smith of El Paso.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Holder.	Stevenson.
Keeton.	Stout.
Kennedy.	Swain.
Kincaid.	Teer.
Lipscomb.	Van Zandt.
Montgomery.	Veatch.
Olsen.	Waddell.
Parrish of Travis.	Walker.
Petsch.	Wallace of Smith.
Pool.	Wassell.
Pope.	Wells.
Porter.	Whitaker.

Nays—45.

Acker.	Bird.
Albritton.	Black.
Bateman.	Cornwell.
Beck.	Davis.

DeBerry.
Duvall.
Eickenroht.
Finlay.
Fly.
Harding.
Harman.
Hefley.
High.
Hogg.
Jacks.
Jones.
Kirby.
Kirkland.
Land.
Loftin.
Long.
McCombs.
McGill.
Merritt.

Morse.
Pavlica.
Poage.
Powell.
Purl.
Runge.
Shirley.
Sinks.
Smith of Nueces.
Stell.
Storey.
Taylor.
Tillotson.
Turner.
Wallace
of Freestone.
Wallace of Panola.
Williams
of Travis.

Present—Not Voting.

Anderson.

Pearce.

Absent.

Bass.	King of
Bonham.	Throckmorton.
Brice.	Loy.
Cummings.	Masterson.
Daniel.	Minor.
Denman.	Moursund.
Dielmann.	Murphy.
Dunlap.	Nabors.
Farrar.	Nicholson.
Foster.	Parish of Runnels.
Fuchs.	Reagan.
Gates.	Rogers of Hays.
Gibson.	Rogers of Shelby.
Hagaman.	Smith of Atascosa.
Hall.	Sutton.
Holland.	Ware.
Hornaday.	Webb.
Johnson.	Williams
Kayton.	of Sabine.
Kemble.	Williamson.
Kenyon.	Woodall.
King of Hopkins.	Woodruff.
Young.	

Absent—Excused.

Justice.
Kinnear.

McKean.

Mr. Wells moved the previous question on the passage of House bill No. 69, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—56.

Mr. Speaker.
Alexander.

Avis.
Barnett.

Barron.	Rawlins.
Bateman.	Renfro
Black.	of Angelina.
Boon.	Renfro of Mills.
Branch.	Rowell.
Brown.	Sanders.
Conway.	Satterwhite.
Cox.	Shaver.
Enderby.	Shearer.
Faulk.	Shears.
Forbes.	Shirley.
Gilbert.	Simmons.
Graves.	Smith of El Paso.
Gray.	Smith of Smith.
Harman.	Smyth.
Holder.	Snelgrove.
Keeton.	Stout.
Kennedy.	Swain.
Lipscomb.	Teer.
Montgomery.	Van Zandt.
Morse.	Veatch.
Olsen.	Waddell.
Petsch.	Walker.
Pool.	Wallace of Smith.
Pope.	Wassell.
Porter.	Wells.
Ramsey.	Whitaker.

Nays—53.

Acker.	Kirkland.
Albritton.	Land.
Anderson.	Loftin.
Beck.	Long.
Bird.	McCombs.
Boggs.	McGill.
Bonham.	Merritt.
Cornwell.	Pavlica.
Davis.	Pearce.
DeBerry.	Poage.
Dunlap.	Powell.
Duvall.	Purl.
Eickenroht.	Runge.
Finlay.	Sinks.
Fly.	Smith of Nueces.
Gates.	Stell.
Gibson.	Stevenson.
Hagaman.	Storey.
Harding.	Taylor.
Hefley.	Tillotson.
High.	Turner.
Hogg.	Wallace
Jacks.	of Freestone.
Johnson.	Wallace of Panola.
Jones.	Williams
Kemble.	of Travis.
Kincaid.	Woodall.
Kirby.	

Absent.

Bass.	Foster.
Brice.	Fuchs.
Cummings.	Hall.
Daniel.	Holland.
Denman.	Hornaday.
Dielmann.	Kayton.
Farrar.	Kenyon.

King of Hopkins.	Reagan.
King of	Rogers of Hays.
Throckmorton.	Rogers of Shelby.
Loy.	Smith of Atascosa.
Masterson.	Sutton.
Minor.	Ware.
Moursund.	Webb.
Murphy.	Williams
Nabors.	of Sabine.
Nicholson.	Williamson.
Parrish of Travis.	Woodruff.
Parish of Runnels.	Young.

Absent—Excused.

Justice.	McKean.
Kinnear.	

Mr. Wells moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 69, and the motion prevailed.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring in all absent members within the city who were not ill.

Mr. Purl moved that House bill No. 69 be read in full.

Yeas and nays were demanded and the motion was lost by the following vote:

Yeas—41.

Acker.	Kirkland.
Anderson.	Long.
Bateman.	McGill.
Beck.	Minor.
Bird.	Morse.
Boggs.	Pavlica.
Davis.	Purl.
Duvall.	Shirley.
Eickenroht.	Sinks.
Finlay.	Stell.
Fly.	Storey.
Forbes.	Taylor.
Gates.	Tillotson.
Gibson.	Van Zandt.
Harman.	Wallace of Panola.
Hefley.	Ware.
High.	Webb.
Hogg.	Whitaker.
Jacks.	Williams
Kennedy.	of Travis.
Kincaid.	Woodall.

Nays—61.

Mr. Speaker.	Avis.
Alexander.	Barnett.

Barron.	Ramsey.
Black.	Rawlins.
Bonham.	Renfro
Boon.	of Angelina.
Branch.	Renfro of Mills.
Brown.	Rowell.
Conway.	Runge.
Cornwell.	Sanders.
Cox.	Satterwhite.
Enderby.	Shaver.
Faulk.	Shearer.
Gilbert.	Sheats.
Graves.	Simmons.
Hall.	Smith of El Paso.
Harding.	Smith of Smith.
Holder.	Smyth.
Jones.	Snelgrove.
Keeton.	Stevenson.
Land.	Stout.
Lipscomb.	Swain.
McCombs.	Teer.
Merritt.	Turner.
Montgomery.	Veatch.
Olsen.	Waddell.
Pearce.	Walker.
Petsch.	Wallace
Poage.	of Freestone.
Pool.	Wassell.
Pope.	Wells.
Porter.	

Present—Not Voting.

Kemble.

Absent.

Albritton.	Loftin.
Bass.	Loy.
Brice.	Masterson.
Cummings.	Moursund.
Daniel.	Murphy.
DeBerry.	Nabors.
Denman.	Nicholson.
Dielmann.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Farrar.	Powell.
Foster.	Reagan.
Fuchs.	Rogers of Hays.
Gray.	Rogers of Shelby.
Hagaman.	Smith of Atascosa.
Holland.	Smith of Nueces.
Hornaday.	Sutton.
Johnson.	Wallace of Smith.
Kayton.	Williams
Kenyon.	of Sabine.
King of Hopkins.	Williamson.
King of	Woodruff.
Throckmorton.	Young.
Kirby.	

Absent—Excused.

Justice.	McKean.
Kinnear.	

House bill No. 69 was then finally passed by the following vote:

Yeas—61.

Mr. Speaker.	Avis.
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Barnett.	Ramsey.
Barron.	Rawlins.
Black.	Renfro
Boon.	of Angelina.
Branch.	Rogers of Shelby.
Brown.	Rowell.
Conway.	Sanders.
Cox.	Satterwhite.
Enderby.	Shaver.
Faulk.	Shearer.
Finlay.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Smith of Smith.
Hagaman.	Smyth.
Harman.	Snelgrove.
Holder.	Stevenson.
Keeton.	Stout.
Kennedy.	Swain.
Lipscomb.	Teer.
Minor.	Turner.
Montgomery.	Van Zandt.
Olsen.	Veatch.
Parish of Runnels.	Waddell.
Pearce.	Walker.
Petsch.	Wallace of Smith.
Pool.	Wassell.
Pope.	Wells.
Porter.	Whitaker.

Nays—53.

Acker.	Kincaid.
Albritton.	Kirby.
Alexander.	Kirkland.
Anderson.	Land.
Bateman.	Long.
Beck.	McGill.
Bird.	Merritt.
Boggs.	Morse.
Bonham.	Pavlica.
Cornwell.	Poage.
Davis.	Purl.
DeBerry.	Runge.
Dunlap.	Sinks.
Duvall.	Smith of El Paso.
Eickenroht.	Smith of Nueces.
Fly.	Stell.
Forbes.	Storey.
Gates.	Taylor.
Gibson.	Tillotson.
Hall.	Wallace
Harding.	of Freestone.
Hefley.	Wallace of Panola.
High.	Ware.
Hogg.	Webb.
Jacks.	Williams
Johnson.	of Travis.
Jones.	Woodall.
Kemble.	

Present—Not Voting.

Renfro of Mills.	Smith of Atascosa.
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Absent.

Bass.	Brice.
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Cummings.	Masterson.
Daniel.	Moursund.
Denman.	Nabors.
Farrar.	Nicholson.
Foster.	Parrish of Travis.
Fuchs.	Powell.
Holland.	Reagan.
Hornaday.	Rogers of Hays.
Kayton.	Sutton.
Kenyon.	Williams
King of Hopkins.	of Sabine.
King of	Williamson.
Throckmorton.	Woodruff.
Loy.	Young.

Absent—Excused.

Justice.	McKean.
Kinnear.	

Paired.

Mr. Loftin (present), who would vote "nay," with Mr. Murphy (absent), who would vote "yea."

Mr. McCombs (present), who would vote "nay," with Mr. Dielmann (absent), who would vote "yea."

Mr. Swain moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

Reasons for Votes.

I vote against the tobacco tax because:

"There are taxes all around us,
There are taxes everywhere.
A tax upon the water,
And a tax upon the air.

They tax you while you're waking,
And they tax you while you sleep;
A tax on all you're making,
And a tax on all you keep.

They tax you in the night,
And they tax you in the day,
They tax you if you fight,
And they tax you if you play.

There is a tax upon the woman,
And a tax upon the man;
A tax on all that's human,
And a tax upon the land.

They tax you when you're rich,
A tax when you are broke;
And Sanders' bill proposes
To tax you if you smoke.

They tax you while you're standing,
A tax on where you sit;
And Sanders' bill proposes
To tax you when you spit.

They tax you while you're giving,
A tax on meat and bread.
They tax you while you're living,
And they even tax the dead.

WOODALL.

(Apologies to Anonymous.)
Amended by Hall.

By my vote on House bill No. 69 I do not in any way wish to be understood as opposing education. It appears to me that the purpose for which the money derived from a tax is to be used furnishes no fair test of the justness of the tax. I consider the tobacco tax as discriminatory and unfair, as a levy of tribute rather than a payment for benefits received from the government. I could support it only in case its passage were imperatively necessary. I cannot see that this is the case here.

JONES.

The Speaker is riding his highest horse. He has arbitrarily refused to recognize anyone to even make a point of order on the procedure of the House pursuant to a motion of the House supported by a reported majority of the House. The clock of the House has been turned back by some one. The Speaker has stated that he knows by whose authority it was done. The Sergeant-at-Arms has stated to me that he turned the clock back on the direct order of the Speaker himself. The bill was laid before the House on the Speaker's recognition of Mr. Keeton, in what the Speaker said was recognizing the members in alphabetical order to call up bills. Under that procedure the Speaker had previously gone down the alphabet to Shearer, who had last called up the Sheppard-Towner bill. The Speaker for two hours refused to recognize me to raise a simple point of order. It is not important that I be recognized but it is a right of a member. I have no knowledge of what was in the so-called tobacco tax bill just adopted. The Speaker refused to have it read or to permit it to be read, although the reading of the bill before a vote was taken was demanded by Mr. Purl of Dallas and by myself. I was absent on account of a death in my family when the bill was passed to third reading. In such a proceeding no man ought to try to decide a question of how to vote. I have no opinion on the merits or the contents of the bill. I therefore ask that the Journal record me as "present."

SMITH of Atascosa.

I do not use tobacco in any form but I vote "nay" on House bill No. 69 because I consider that the only "club room" that many farmers and laboring men have is his pipe and tobacco at noon hours and after his day's work is over and can see no more excuse for taxing tobacco than for taxing chewing gum, face powders, cosmetics, etc., and therefore consider it to be class legislation.

BOGGS.

I was out of the House when the final vote on House bill No. 69 was taken. I desire to go on record as opposing it, however, and if I had been present I would have voted against it.

YOUNG.

I voted for House bill No. 69 because the House has been passing many bills carrying appropriations from the general fund and not one revenue bill putting a dollar back there; the common schools must be supported properly and this measure will furnish the school fund five or six million dollars—on a luxury; it will relieve ad valorem taxes, used to make up deficiencies out of the general funds for the schools. Common schools are more important than using tobacco, and one cent on a ten-cent cigar won't hurt anybody, but will meet a great need.

WASSELL.

I vote "yea" on House bill No. 69 for the following reasons:

1. The people of my district have seemingly been for a tobacco tax, since it was first proposed by Governor Ferguson.

2. I believe it to be the first step towards final abolishment of the State ad valorem tax.

3. Because the revenue raised under its provisions goes into the public school fund and is for the benefit of all the children of the State, and will collect taxes from thousands of citizens who pay no other form of tax.

I regret that the previous question deprives me of a chance to offer my amendment which would provide that the picture of former Governor M. A. Ferguson be printed on the stamp to be used under this act, instead of the picture of a public school. I believe we should honor those to whom honor is due.

FINLAY.

Mr. Speaker: I vote "nay" under my conception of right and wrong. This bill should not have come up at this

time except upon a two-thirds vote. There was an agreement whereby any member (the author of the bill) could bring up his bill if he had not previously had an opportunity of bringing up one bill. Under this agreement the first bill was House bill No. 615, the author of which had had considered and passed bills previous to this time. The point of order was made concerning this point. The Speaker ruled that it came too late. Said bill was considered and passed. House bill No. 308 was called up by Mr. Albritton; there were objections. Mr. Albritton then moved to take up House bill No. 308, which motion was lost, not having received the necessary two-thirds vote. We had agreed to take up list alphabetically and the author of House bill No. 308 ranked above the author of House bill No. 615. Later it was ruled that any member, author or not, who had not used his suspension could sponsor any bill he so desired. Since this agreement was violated and not adhered to, even at the very beginning, therefore I deem the rules of the House should govern; and furthermore, the opponents of this measure did not have an opportunity to vote against this bill. I want to again state a luxury tax is a just tax, but should take its chance with all other bills.

STELL.

My opinion of how the tobacco tax was put over. (Apologies to Woodall, Hall & Barnett.)

There are rules all around us
But none that seems so unfair,
As the one that taxes tobacco
That the Sanders' bill prepared.

You may cry about your taxes
But you'd better watch the way,
In which the tax upon tobacco
Was steam rolled into pay.

Our school children will have worry
And you'll soon need no law,
If you allow such procedure
To have you stoop so low.

Now in the name of fairness
And justice to the laws of our land,
Don't you stand for such procedure
That put the tobacco tax on man.

LONG.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice

thereof and its caption had been read, the following resolution:

S. C. R. No. 35, Recalling Senate bill No. 311 from the Governor.

RECESS.

On motion of Mr. Satterwhite, the House, at 1:20 o'clock p. m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by Speaker Bobbitt.

BILL ORDERED NOT PRINTED.

On motion of Mr. Hefley, by unanimous consent, Senate bill No. 436 was ordered not printed.

PROVIDING FOR SUSPENSION OF CERTAIN HOUSE RULE.

Mr. Satterwhite offered the following resolution:

Resolved by the House, the Senate concurring, That the rule prohibiting either House or Senate bills to be taken up on second reading seventy-two hours prior to the adjournment hour be suspended until 6 o'clock p. m. Monday, March 14, 1927.

Signed—Satterwhite, Tillotson.

The resolution was read second time and was referred by the Speaker to the Committee on Rules.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered and rescinded action by which Senate concurred in House amendments to Senate bill No. 311 and has refused to concur in amendments to Senate bill No. 311 and requests House for appointment of a free conference committee to adjust the differences.

The following are appointed as conferees on the part of the Senate:

Senators Bailey, Bledsoe, Bowers, Lewis and Price.

The Senate has passed

S. B. No. 135, A bill to be entitled "An Act amending Article 333 of Criminal Procedure of the State of Texas, as

recodified and adopted at the Regular Session of the Thirty-ninth Legislature, 1925, relating to the appointment of jury commissioners to select grand jurors; providing for their compensation, and prescribing their qualifications, so as to provide for the appointment of not less than three nor more than five in the discretion of the district judge, and declaring an emergency."

S. B. No. 136, A bill to be entitled "An Act amending Article 2104 of the Revised Civil Statutes of the State of Texas as recodified and adopted at the Regular Session of the Thirty-ninth Legislature, 1925, relating to the appointment of jury commissioners to select petit jurors; providing for their compensation, and prescribing their qualifications, so as to provide for the appointment of not less than three nor more than five, in the discretion of the district judge, and declaring an emergency."

H. B. No. 109, A bill to be entitled "An Act relative to registration fees of motor vehicles and motorcycles, amending Article 6678, Revised Civil Statutes of 1925, so as to eliminate registration fees of passenger motor vehicles based on horse power; amending Article 6679, Revised Civil Statutes of 1925, so as to eliminate registration fees on motor vehicles designed or used for transportation of property based upon horse power; providing for a registration fee in addition to other registration fees based on weight to be paid by owners of passenger motor vehicles operating for hire; naming a minimum registration fee for passenger motor vehicles, and providing a penalty for failure to pay the same; amending Article 6691, so as to provide that hereafter all of such registration fees shall go to the county and shall be deposited by the tax collector to the credit and for the use of the county road and bridge fund, and that none of said fees shall be paid into the State Highway Fund; repealing Article 820 of the Penal Code; providing that if any section is declared unconstitutional, it shall not invalidate any remaining part of this act; fixing the compensation of the tax collectors, and declaring an emergency," with amendments.

H. B. No. 507, A bill to be entitled "An Act repealing Article 372, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 503, A bill to be entitled "An Act relieving State banks in the hands of the Banking Commissioner for liquidation from the payment of fran-

chise taxes; providing that the failure of the commissioner to pay franchise taxes for any such bank shall not operate to revoke or forfeit the charter of such corporation; repealing all laws in conflict, and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act amending Article 517, Revised Civil Statutes of Texas, 1925, and providing that no attorney's fee shall be collectible on notes or other evidence of debt issued by a State bank in the hands of the commissioner for liquidation, where such notes or other evidence of debt are placed with an attorney for collection within thirty days after closing of such bank, and declaring an emergency."

H. B. No. 505, A bill to be entitled "An Act prohibiting the Banking Commissioner and his employes from purchasing, directly or indirectly, any asset belonging to a State bank in the hands of the commissioner for liquidation; providing penalty, and declaring an emergency."

H. B. No. 500, A bill to be entitled "An Act to repeal Article 348, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 501, A bill to be entitled "An Act requiring the Banking Commissioner of Texas to file a final report of all liquidations; providing that upon approval of such final report the charter of each such bank shall be forfeited; and further providing for the filing of certificates of such forfeiture, and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act amending Article 351, Revised Civil Statutes of Texas, 1925, changing and increasing the compensation of field examiners for State banks and banking corporations, and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorney of said district, and fixing their compensation; repealing all laws or parts of laws in conflict herewith and providing when said act shall be effective."

H. B. No. 488, A bill to be entitled "An Act to amend Articles 1377 and 1378, Penal Code of Texas, 1925, repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

H. B. No. 502, A bill to be entitled "An Act requiring directors of State

banks, bank and trust companies and banking corporations, organized and doing business under the laws of this State, to be elected annually, and declaring an emergency."

H. B. No. 506, A bill to be entitled "An Act amending Article 497, Revised Civil Statutes of Texas, 1925, and empowering the Banking Commissioner to require from State banks any statement concerning the affairs of such corporations as he may deem necessary; providing a penalty; fixing the venue of suits, and the disposition of penalties collected, and declaring an emergency."

H. B. No. 445, A bill to be entitled "An Act amending Article 6205, Title 109, of the Revised Civil Statutes of 1925, providing that the word 'widow,' as used in this article, shall not apply to women born since the year 1875."

H. B. No. 534, A bill to be entitled "An Act to authorize the admission in evidence, in suits to which the Banking Commissioner of Texas may be a party, of all books, records, papers and documents, or certified copies thereof, of insolvent banks in course of liquidation by the Banking Commissioner; and providing that such originals or certified copies shall be prima facie evidence of the facts therein contained, and declaring an emergency."

H. B. No. 532, A bill to be entitled "An Act prohibiting the sale by any officer, director or employe of a State bank, any note, security or property to such bank without the written consent of the board of directors."

H. B. No. 533, A bill to be entitled "An Act prohibiting any person from being president and cashier, at the same time, in any bank, organized and operating under the laws of this State."

H. B. No. 446, A bill to be entitled "An Act to amend Section 6, of Chapter 183, of the General Laws of the Thirty-ninth Legislature, Regular Session, and creating the sand, gravel and shell fund, and appropriating the same; providing for refund of taxes paid on marl, gravel, shell or mudshell, by any county, city or town or State Highway Commission, and providing for the enforcement of the provisions of the sand, shell and gravel law; for the killing of pelicans, porpoise and the destruction of pelican eggs, and authorizing the payment of compensation therefor, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 536, A bill to be entitled "An Act to relieve the Banking Com-

missioner of Texas and the State Banking Board from giving cost bonds in trial courts, and cost bonds and supersedeas bonds on appeal; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 514, A bill to be entitled "An Act amending Article 544 of the Penal Code of the State of Texas of 1925, reducing the minimum penalty for embezzling or misapplying the funds of any State bank or bank and trust company incorporated under the laws of Texas as from five to two years, and declaring an emergency."

H. B. No. 513, A bill to be entitled "An Act to amend Article 544, Revised Civil Statutes of Texas, and eliminating therefrom the provision that stockholders who are depositors of insolvent banks shall be protected for only that portion of their deposits over and above their liability as stockholders; and providing for the venue of suits to enforce stockholders' liability, and declaring an emergency."

H. B. No. 512, A bill to be entitled "An Act requiring all State banks to charge off annually for depreciation a percentage of cost for furniture and fixtures, and regulating the carrying of bank buildings as an asset, and declaring an emergency."

H. B. No. 511, A bill to be entitled "An Act to amend Article 373, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, eliminating therefrom the words 'and a receiver or other agency appointed for the liquidation of its affairs and the payment of its debts,' and substituting therefor the following: 'and taken over by the Banking Commissioner of Texas for the purpose of liquidation, as provided by law,' and declaring an emergency."

H. B. No. 510, A bill to be entitled "An Act making it a felony for any director, officer or employe of a State bank or bank and trust company to enter into any contract with a bucket shop, as defined in Article 659 of the Penal Code of Texas, or to place any order with a bucket shop, as thus defined, for a margin contract or any contract denounced by Article 658 and by Article 661 of the Penal Code of Texas; fixing a penalty, and declaring an emergency."

H. B. No. 509, A bill to be entitled "An Act making it a felony for any stockholder, officer, director, employe or agent of any bank, incorporated and op-

erating under the laws of this State, to abstract, remove, destroy or secrete any papers, books or records of any such bank, or from the custody of the Banking Commissioner; providing a penalty; prescribing the procedure for the indictment and trial of principal offenders, accomplices, and accessories; repealing all laws in conflict, and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act to require all State banks, savings banks, and bank and trust companies to adopt by-laws and to file certified copies of such by-laws with the Banking Commissioner; providing a penalty, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

SENATE BILL NO. 168 ON SECOND READING.

On motion of Mr. Kincaid, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 168, A bill to be entitled "An Act amending Articles 1256 and 1257 of the Penal Code of 1925, so as to properly define murder, and fixing the punishment for murder; inserting in the Penal Code a new article numbered 1257a, relating to what may be proved, and considered by the jury, in determining the punishment to be assessed for murder; repealing Chapter 15, of Title 15, of the Penal Code of 1925, relating to manslaughter and all other laws in conflict with this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Stout raised a point of order on further consideration of the bill at this time on the ground that the rule of the House has not been suspended for the purpose of placing the bill before the House.

The Speaker overruled the point of order.

Mr. Sinks offered the following (committee) amendment to the bill:

Amend Senate bill No. 168 by adding Section 5 to the bill as follows:

"Provided that the enactment of this law shall not in any way or manner affect any person heretofore indicted for manslaughter or having now pending against him such a charge by virtue of having been heretofore tried for murder and having been convicted for man-

slaughter, but as to such defendants the law as it now is shall remain in full force until the cases have been finally disposed of."

The amendment was adopted.

Mr. Sinks offered the following (committee) amendment to the bill:

Amend Senate bill No. 168 by adding to the end of the bill an additional paragraph reading as follows:

"Provided, however, that the enactment of this law shall not affect in any manner any person heretofore indicted for the offense of manslaughter and now pending in court."

Mr. Nabors moved to table the amendment.

Mr. Young moved a call of the House for the purpose of maintaining a quorum until 5:30 o'clock p. m., and the motion prevailed.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Question recurring on the motion to table the amendment, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Hagaman.
Acker.	Hall.
Albritton.	Harman.
Alexander.	High.
Avis.	Hogg.
Barron.	Holder.
Beck.	Holland.
Boggs.	Hornaday.
Bonham.	Johnson.
Branch.	Keeton.
Brice.	Kennedy.
Conway.	Kincaid.
Cornwell.	King of
Cox.	Throckmorton.
Daniel.	Kirkland.
DeBerry.	Land.
Duvall.	Long.
Enderby.	Loy.
Eickenroht.	McCombs.
Fly.	McGill.
Forbes.	Merritt.
Gilbert.	Minor.
Gray.	Montgomery.

Morse.	Smith of Smith.
Nabors.	Snelgrove.
Nicholson.	Stevenson.
Olsen.	Storey.
Parrish of Travis.	Stout.
Pavlica.	Swain.
Petsch.	Taylor.
Pope.	Teer.
Ramsey.	Tillotson.
Rawlins.	Turner.
Renfro	Van Zandt.
of Angelina.	Veatch.
Renfro of Mills.	Waddell.
Rogers of Hays.	Ware.
Rowell.	Webb.
Runge.	Wells.
Sanders.	Whitaker.
Satterwhite.	Williams
Shaver.	of Sabine.
Sheats.	Williams
Shirley.	of Travis.
Simmons.	Woodruff.
Sinks.	Young.
Smith of Nueces.	

Nays—11.

Barnett.	Pearce.
Faulk.	Shearer.
Finlay.	Smith of El Paso.
Gibson.	Walker.
Loftin.	Woodall.
Parish of Runnels.	

Present—Not Voting.

Bateman.	Jones.
Black.	Kirby.
Boon.	Stell.
Cummings.	

Absent.

Anderson.	Lipscomb.
Bass.	Masterson.
Bird.	Moursund.
Brown.	Murphy.
Davis.	Poage.
Denman.	Porter.
Dielmann.	Powell.
Dunlap.	Purl.
Farrar.	Reagan.
Foster.	Rogers of Shelby.
Fuchs.	Smith of Atascosa.
Gates.	Smyth.
Graves.	Sutton.
Harding.	Wallace
Hefley.	Wof Freestone.
Jacks.	Wallace of Panola.
Kayton.	Wallace of Smith.
Kemble.	Wassell.
Kenyon.	Williamson.
King of Hopkins.	

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

Mr. Sinks offered the following (committee) amendment to the bill:

Amend Senate bill No. 168 by adding after the word "aforethought," and before the word "they," in Section 3a, the following: "and if from all the facts and circumstances in evidence, in the absence of malice aforethought, the jury believes the mind of the defendant was incapable of cool reflection."

On motion of Mr. Petsch, the amendment was tabled.

Mr. Sinks offered the following (committee) amendment to the bill:

Amend Senate bill No. 168 by adding immediately after Section 3a, another section to be known as Section 3b, which shall read as follows:

"Section 3b. Provided that if any person is convicted hereunder and his punishment is assessed at a term of five years or less confinement in the State penitentiary, he shall be deemed to have been found guilty of having committed murder under extenuating circumstances, and if a subsequent trial or trials is had, the maximum punishment that can be assessed upon such second or subsequent trial shall not be in excess of five years confinement in the State penitentiary."

Mr. Nabors moved to table the amendment.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—73.

Mr. Speaker.	King of
Avis.	Throckmorton.
Barron.	Kirby.
Black.	Land.
Boon.	Lipscomb.
Branch.	Long.
Cornwell.	Loy.
Cox.	McCombs.
Cummings.	Minor.
Davis.	Montgomery.
DeBerry.	Morse.
Enderby.	Nabors.
Fly.	Parrish of Travis.
Forbes.	Pearce.
Graves.	Petsch.
Hagaman.	Poage.
Harman.	Pope.
High.	Powell.
Hogg.	Ramsey.
Holder.	Rawlins.
Hornaday.	Renfro
Jones.	of Angelina.
Keeton.	Renfro of Mills.
Kemble.	Rogers of Shelby.
Kennedy.	Satterwhite.
Kincaid.	Shaver.

Sheats.	Walker.
Sinks.	Wallace
Smith of El Paso.	of Freestone.
Smith of Nueces.	Ware.
Smith of Smith.	Wassell.
Snelgrove.	Webb.
Swain.	Wells.
Taylor.	Whitaker.
Teer.	Williams
Tillotson.	of Sabine.
Van Zandt.	Williams
Veatch.	of Travis.
Waddell.	Young.

Nays—36.

Acker.	Loftin.
Albritton.	McGill.
Barnett.	Nicholson.
Bird.	Pavlica.
Boggs.	Rogers of Hays.
Bonham.	Rowell.
Brice.	Runge.
Brown.	Sanders.
Conway.	Shearer.
Duvall.	Shirley.
Eickenroht.	Simmons.
Faulk.	Smith of Atascosa.
Finlay.	Stevenson.
Gates.	Storey.
Gibson.	Stout.
Gilbert.	Turner.
Holland.	Wallace of Panola.
Johnson.	Woodall.

Present—Not Voting.

Bateman.	Merritt.
Daniel.	Olsen.
Hall.	Stell.

Absent.

Alexander.	Kenyon.
Anderson.	King of Hopkins.
Bass.	Kirkland.
Beck.	Masterson.
Denman.	Moursund.
Dielmann.	Murphy.
Dunlap.	Parish of Runnels.
Farrar.	Porter.
Foster.	Purl.
Fuchs.	Reagan.
Gray.	Smyth.
Harding.	Sutton.
Hesley.	Wallace of Smith.
Jacks.	Williamson.
Kayton.	Woodruff.

Absent—Excused.

Justice.	McKean.
Kinnear.	Pool.

Mr. Storey offered the following amendment to the bill:

Amend Senate bill No. 168 by add-

ing after the words "malice and aforethought," on page 2, line 22, the following: "and shall apply that term by appropriate charge to the facts in the case."

(Pending consideration of the amendment, Mr. Stout occupied the chair temporarily.)

Mr. Holder moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Storey, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—68.

Acker.	Parish of Runnels.
Albritton.	Pavlica.
Alexander.	Pearce.
Barnett.	Pool.
Bateman.	Porter.
Bird.	Purl.
Black.	Renfro of Mills.
Boggs.	Rowell.
Bonham.	Runge.
Brice.	Sanders.
Conway.	Sheats.
Cornwell.	Shirley.
Cummings.	Simmons.
Daniel.	Smith of Atascosa.
Farrar.	Smith of El Paso.
Faulk.	Smith of Nueces.
Finlay.	Smith of Smith.
Gates.	Smyth.
Gibson.	Snelgrove.
Gilbert.	Stell.
Graves.	Stevenson.
Gray.	Storey.
Hall.	Swain.
Holland.	Tillotson.
Johnson.	Turner.
Kemble.	Van Zandt.
Kennedy.	Walker.
King of	Wallace of Panola.
Throckmorton.	Ware.
Kirkland.	Wassell.
Land.	Whitaker.
Loftin.	Williams
Long.	of Sabine.
Loy.	Woodall.
McGill.	Woodruff.
Merritt.	

Nays—47.

Boon.	High.
Branch.	Hogg.
DeBerry.	Holder.
Eickenroht.	Hornaday.
Fly.	Jones.
Forbes.	Justice.
Hagaman.	Keeton.
Harding.	Kincaid.
Harman.	Kirby.
Hefley.	McCombs.

Minor.
Montgomery.
Morse.
Nabors.
Olsen.
Petsch.
Poage.
Pope.
Powell.
Ramsey.
Rawlins.
Renfro
of Angelina.
Rogers of Hays.
Satterwhite.

Shaver.
Shearer.
Sinks.
Stout.
Taylor.
Teer.
Veatch.
Waddell.
Wallace
of Freestone.
Webb.
Wells.
Williams
of Travis.
Young.

Present—Not Voting.

Cox.

Absent.

Anderson.	Kayton.
Avis.	Kenyon.
Barron.	King of Hopkins.
Bass.	Lipscomb.
Beck.	Masterson.
Brown.	Moursund.
Davis.	Murphy.
Denman.	Nicholson.
Dielmann.	Parrish of Travis.
Dunlap.	Reagan.
Duvall.	Rogers of Shelby.
Enderby.	Sutton.
Foster.	Wallace of Smith.
Fuchs.	Williamson.
Jacks.	

Absent—Excused.

Kinnear.

McKean.

Mr. Storey moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 168 was then passed to third reading by the following vote:

Yeas—65.

Mr. Speaker.	Hogg.
Black.	Holder.
Branch.	Hornaday.
Brice.	Jones.
Brown.	Justice.
Cornwell.	Keeton.
Cox.	Kemble.
Cummings.	Kincaid.
DeBerry.	King of
Enderby.	Throckmorton.
Fly.	Kirby.
Forbes.	Loy.
Graves.	Minor.
Harman.	Montgomery.
High.	Morse.

Nabors.	Smith of Smith.
Parish of Runnels.	Snelgrove.
Pearce.	Swain.
Petsch.	Taylor.
Poage.	Teer.
Pool.	Van Zandt.
Pope.	Veatch.
Porter.	Waddell.
Powell.	Wallace
Ramsey.	of Freestone.
Rawlins.	Ware.
Renfro	Wassell.
of Angelina.	Webb.
Renfro of Mills.	Wells.
Rogers of Shelby.	Whitaker.
Sanders.	Williams
Satterwhite.	of Travis.
Shaver.	Woodruff.
Shearer.	Young.
Sinks.	

Nays—55.

Acker.	Loftin.
Albritton.	Long.
Alexander.	McGill.
Avis.	Merritt.
Barnett.	Olsen.
Bateman.	Pavlica.
Bird.	Purl.
Boggs.	Rogers of Hays.
Bonham.	Rowell.
Conway.	Runge.
Daniel.	Sheats.
Duvall.	Shirley.
Eickenroht.	Simmons.
Farrar.	Smith of Atascosa.
Faulk.	Smith of El Paso.
Finlay.	Smith of Nueces.
Gates.	Smyth.
Gibson.	Stell.
Gilbert.	Stevenson.
Gray.	Storey.
Hagaman.	Stout.
Hall.	Turner.
Harding.	Walker.
Hefley.	Wallace of Panola.
Holland.	Williams
Johnson.	of Sabine.
Kirkland.	Williamson.
Land.	Woodall.

Absent.

Anderson.	Kennedy.
Barron.	Kenyon.
Bass.	King of Hopkins.
Beck.	Masterson.
Davis.	Moursund.
Denman.	Murphy.
Dielmann.	Nicholson.
Dunlap.	Parrish of Travis.
Foster.	Sutton.
Fuchs.	Tillotson.
Jacks.	Wallace of Smith.
Kayton.	

Absent—Excused.

Kinnear.	McKean.
Paired.	

Mr. Boon (present), who would vote "yea," with Mr. Lipscomb (absent), who would vote "nay."

Mr. McCombs (present), who would vote "yea," with Mr. Reagan (absent), who would vote "nay."

Reasons for Vote.

I am unwilling to vote to place the man who, under the influence of that righteous passion of the knowledge that a fiend has raped and murdered his daughter, kills the rapist-murderer as soon as he can find him when he comes to be tried for the offense shall, under the facts, occupy the same category as the fiend would occupy, in the final judgment of the court, if the father missed the fiend and the fiend came up for trial and conviction. The House is unwilling to hear the bill debated. And I therefore, file these brief reasons for voting "nay."

SMITH of Atascosa.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 242, "An Act relating to insurance," etc.

S. B. No. 64, "An Act to amend Title 1, Chapter 1, Article 3943, Revised Civil Statutes of Texas, relating to fees of office of county treasurers."

S. B. No. 470, "An Act amending the local road law of Dallas county so as to better provide for construction, reconstruction and repair of dirt roads connecting with the pikes or hard surface roads in said county, etc., and declaring an emergency."

S. B. No. 469, "An Act to fix the salary of the superintendent of public instruction of each county in Texas having a population of not less than 60,000 nor more than 73,000 according to the last Federal census; providing for office expenses; repealing all laws and parts of laws in conflict, and declaring an emergency."

S. B. No. 470, "An Act to create Road District No. 1 of Van Zandt county, Texas; validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district; validating the au-

thorization, issuance and sale of certain road bonds thereof, and providing for the payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

S. B. No. 468, "An Act to create a more efficient road system for Shelby county, Texas; providing that the commissioners court shall appoint five highway commissioners, one from each commissioner's precinct and from the county at large; prescribing their powers and duties; providing that all road funds collected within the county may be used by said highway commissioner to maintain and keep in repair the roads within the county, etc., and declaring an emergency."

S. B. No. 471, "An Act creating, defining and establishing Road District No. 5 in Briscoe county, Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that said district shall be authorized to issue bonds or otherwise lend its credit for said purpose to an amount not to exceed one-fourth of the assessed valuation of real property situated therein, and levy, assess and collect general ad valorem taxes in payment thereof; providing that said district shall be governed in the issuance of bonds, lending its credit, constructing and maintaining and operating its roads, and all other matters incident thereto by the provisions of the general law, and declaring an emergency."

S. B. No. 364, "An Act amending Article 1302 of the Revised Civil Statutes of 1925, so as to authorize the formation of private corporations for the purpose of acquiring, owning and colonizing land, provided that no such corporation shall acquire or own more than — acres of land in this State; repealing any law or part of law in conflict herewith, and declaring an emergency."

S. B. No. 147, "An Act relative to changing the number of the Board of Regents from six to nine members."

S. B. No. 448, "An Act validating the bonds of Cameron County Water Improvement District No. 5, in Cameron county, Texas, in the sum of six hundred

thousand dollars, authorized by an election held in said district on the 21st day of December, A. D. 1926, and validating all the acts done and performed by the board of directors and officers, attorneys, agents, servants and employes of said district, etc., and declaring an emergency."

CONFERENCE COMMITTEE ON SENATE BILL NO. 311.

Mr. Bonham called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 311.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Bonham moved the request be granted.

The motion prevailed.

HOUSE BILL NO. 412 ON SECOND READING.

On motion of Mr. Kirkland, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 412, A bill to be entitled "An Act to amend Article 1350, of Title 17, Chapter 3, of the Revised Criminal Statutes of the State of Texas of 1925, providing penalties for persons wilfully and maliciously destroying personal property, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 412 ON THIRD READING.

Mr. Kirkland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 412 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Brown.
Acker.	Conway.
Alexander.	Cornwell.
Avis.	Cox.
Barnett.	Cummings.
Black.	Daniel.
Boggs.	DeBerry.
Bonham.	Duvall.
Boon.	Enderby.
Branch.	Farrar.
Brice.	Faulk.

Finlay.	Ramsey.
Fly.	Rawlins.
Forbes.	Renfro
Gates.	of Angelina.
Gilbert.	Renfro of Mills.
Graves.	Rogers of Hays.
Gray.	Rogers of Shelby.
Hagaman.	Rowell.
Hall.	Sanders.
Harding.	Satterwhite.
Harman.	Shaver.
High.	Shearer.
Hogg.	Sheats.
Holland.	Shirley.
Hornaday.	Simmons.
Johnson.	Sinks.
Jones.	Smith of El Paso.
Justice.	Smith of Nueces.
Keeton.	Smith of Smith.
Kemble.	Smyth.
Kincaid.	Snelgrove.
King of	Stell.
Throckmorton.	Stout.
Kirby.	Swain.
Kirkland.	Taylor.
Land.	Teer.
Long.	Tillotson.
Loy.	Turner.
McGill.	Van Zandt.
Merritt.	Veatch.
Minor.	Waddell.
Montgomery.	Walker.
Morse.	Ware.
Nicholson.	Wassell.
Parrish of Travis.	Webb.
Pearce.	Wells.
Petsch.	Williams
Poage.	of Sabine.
Pool.	Williams
Pope.	of Travis.
Porter.	Woodruff.
Powell.	Young.
Purl.	

Nays—9.

Albritton.	Nabors.
Davis.	Olsen.
Holder.	Smith of Atascosa.
Kennedy.	Storey.
McCombs.	

Present—Not Voting.

Woodall.

Absent.

Anderson.	Fuchs.
Barron.	Gibson.
Bass.	Hesley.
Bateman.	Jacks.
Beck.	Kayton.
Bird.	Kenyon.
Denman.	King of Hopkins.
Dielmann.	Lipscomb.
Dunlap.	Loftin.
Eickenroht.	Masterson.
Foster.	Moursund.

Murphy.	Wallace
Parish of Runnels.	of Freestone.
Pavlica.	Wallace of Panola.
Reagan.	Wallace of Smith.
Runge.	Whitaker.
Stevenson.	Williamson.
Sutton.	

Absent—Excused.

Kinnear. McKean.

The Speaker then laid House bill No. 412 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Long.
Acker.	Loy.
Albritton.	McGill.
Alexander.	Merritt.
Avis.	Minor.
Barnett.	Montgomery.
Black.	Morse.
Boggs.	Nicholson.
Boon.	Olsen.
Branch.	Parrish of Travis.
Brice.	Pearce.
Conway.	Petsch.
Cornwell.	Poage.
Cox.	Pool.
Cummings.	Pope.
Daniel.	Porter.
Davis.	Purl.
DeBerry.	Ramsey.
Enderby.	Rawlins.
Farrar.	Renfro
Faulk.	of Angelina.
Finlay.	Renfro of Mills.
Fly.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Gates.	Rowell.
Gilbert.	Sanders.
Graves.	Satterwhite.
Gray.	Shaver.
Hagaman.	Shearer.
Hall.	Shears.
Harding.	Simmons.
Harman.	Sinks.
High.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Smyth.
Johnson.	Snelgrove.
Jones.	Stell.
Justice.	Stevenson.
Keeton.	Storey.
Kemble.	Stout.
Kennedy.	Swain.
Kincaid.	Taylor.
King of	Tillotson.
Throckmorton.	Turner.
Kirby.	Van Zandt.
Kirkland.	Waddell.
Land.	Walker.

Ware.
Wassell.
Webb.
Wells.
Whitaker.

Williams
of Sabine.
Williams
of Travis.
Woodall.
Young.

Nays—7.

Bateman.
Bird.
Holder.
McCombs.

Nabors.
Parish of Runnels.
Smith of Atascosa.

Absent.

Anderson.
Barron.
Bass.
Beck.
Bonham.
Brown.
Denman.
Dielmann.
Dunlap.
Duvall.
Eickenroht.
Foster.
Fuchs.
Gibson.
Hefley.
Jacks.
Kayton.
Kenyon.
King of Hopkins.

Lipscomb.
Loftin.
Masterson.
Moursund.
Murphy.
Pavlica.
Powell.
Reagan.
Runge.
Shirley.
Sutton.
Teer.
Veatch.
Wallace
of Freestone.
Wallace of Panola.
Wallace of Smith.
Williamson.
Woodruff.

Absent—Excused.

Kinnear.

McKean.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed

H. B. No. 474, A bill to be entitled
"An Act to repeal subdivision 1, Article
3883, Chapter 1, Title 61, of the Revised
Civil Statutes of 1925, and to amend
Article 3900, Chapter 1, Title 61, of the
Revised Civil Statutes of 1925, so as
to provide that certain officers in coun-
ties having a population of twenty-five
thousand or less inhabitants, according
to the last preceding United States cen-
sus, shall be exempt from the provisions
of Articles 3891, 3896 and 3897, Chap-
ter 1, Title 61, of the Revised Civil
Statutes of 1925, and declaring an emer-
gency."

H. B. No. 475, A bill to be entitled
"An Act to amend Article 3902 (3903)
of the Revised Statutes of the State of

Texas for 1925, fixing in counties hav-
ing a population of more than 70,000
and less than 100,000, as shown by the
latest United States census, and con-
taining a city of more than 37,500 pop-
ulation, as shown by said United States
census, and composing two or more ju-
dicial districts with courts of general
jurisdiction and having no district at-
torney, the maximum compensation to
be paid to first assistants, heads of de-
partments and other assistants to the
office of county attorney in such coun-
ties, and providing for the allowing
of such compensation and the manner
of the payment thereof, by adding Sec-
tion 3902-B (3903-B); and to amend
Article 3902 (3903) of the Revised Stat-
utes of the State of Texas for 1925, fix-
ing in counties having a population of
more than 70,000 and less than 100,000
as shown by the latest United States
census, and containing a city of more
than 37,500 population, as shown by
said United States census and compos-
ing two or more judicial districts with
courts of general jurisdiction, and the
maximum compensation to be paid to
first assistants or deputies, heads of de-
partments named in Article 3883, ex-
cept the office of county attorney, in
such counties, and providing for the
allowing of such compensation and the
manner of the payment thereof, by add-
ing Section 3902-C (3903-C); repealing
all laws and parts of laws in conflict
with the amendments herewith provided
for, and declaring an emergency."

H. J. R. No. 14, Relating to the pub-
lic free schools of Texas, with amend-
ments.

H. B. No. 647, A bill to be entitled
"An Act to amend Article 199, Revised
Civil Statutes of 1925, so as to reform
the time of holding the court in the
Sixty-fourth Judicial District of the
State of Texas."

H. B. No. 7, A bill to be entitled
"An Act prohibiting the sale, offer for
sale and exposing for sale, within this
State, for human consumption, and the
transportation and delivery to any com-
mon carrier for transport within this
State, of diseased, immature, unripe,
over-ripe or frost damaged oranges,
lemons, grapefruit or other citrus
fruits; or any oranges, the juice of
which shall contain more than one and
three-tenths per centum, by weight, or
crystallized citric acid; or any grape-
fruit, the juice of which shall contain
more than one and three-fourths per
centum, by weight, of crystallized citric
acid; or any misbranded citrus fruit;
defining the offense of misbranding cit-

rus fruit; prescribing the powers of the Commissioner of Agriculture with regard to the provisions of this act; making his official certificate admissible in evidence in proof of certain facts; and fixing a penalty for violation of the provisions of this act, and declaring an emergency," with amendment.

H. B. No. 8, A bill to be entitled "An Act to amend Article 2757, Revised Statutes of 1925, relating to formation of independent school districts, and declaring an emergency," with amendments.

H. B. No. 13, A bill to be entitled "An Act amending Article 47 of the Penal Code of the State of Texas of 1925, so as to properly define the word 'offense,' the word 'felony' and the word 'misdemeanor,' prescribing what is and is not a capital felony, and declaring an emergency."

H. B. No. 16, A bill to be entitled "An Act amending Sections 10, 16 and 17, of Chapter 24, of the Special Laws of the State of Texas, approved March 5, 1913, and passed by the Thirty-third Legislature, relating to the road system of Hamilton county, by changing the minimum age of persons required to work the roads from eighteen to twenty-one, and changing the amount of indebtedness that can be created in road matters, and changing the compensation of the road supervisors."

H. B. No. 485, A bill to be entitled "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorney of said district, and fixing their compensation; repealing all laws or parts of laws in conflict herewith and providing when said act shall be effective."

H. B. No. 605, A bill to be entitled "An Act amending Section 2, of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for the act to take effect."

H. B. No. 636, A bill to be entitled "An Act to create Road District No. 7

in Shelby county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating the authorization, issuance and sale of certain bonds thereof dated February 9, 1920, and numbered forty-six to one hundred, inclusive, totaling twenty-seven thousand five hundred (\$27,500) dollars, of five hundred (\$500) dollars each, providing for their payment by the annual levy and assessment of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said designated road district bonds and taxes or certified copies thereof and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency," with amendment.

H. B. No. 626, A bill to be entitled "An Act to amend Article 1323, of Chapter 3, of Title 32, of Revised Civil Statutes."

The Senate has adopted the free conference committee report on House bill No. 561 by vote of 26 yeas and 0 nays.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 545 WITH SENATE AMENDMENTS.

Mr. Parrish of Travis called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 545, A bill to be entitled "An Act relating to banks increasing their capital stock."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Parrish of Travis, the House concurred in the Senate amendments by the following vote:

Yeas—104.

Mr. Speaker.	Conway.
Acker.	Cornwell.
Albritton.	Cox.
Alexander.	Cummings.
Avis.	Daniel.
Barnett.	Davis.
Bateman.	DeBerry.
Bird.	Duvall.
Black.	Enderby.
Boggs.	Farrar.
Branch.	Finlay.
Brice.	Fly.
Brown.	Forbes.

Gates.	Ramsey.
Gibson.	Rawlins.
Gilbert.	Renfro
Graves.	of Angelina.
Gray.	Renfro of Mills.
Hall.	Rogers of Hays.
Harman.	Rowell.
High.	Runge.
Hogg.	Sanders.
Holder.	Satterwhite.
Holland.	Shaver.
Hornaday.	Shearer.
Johnson.	Shirley.
Jones.	Simmons.
Justice.	Sinks.
Keeton.	Smith of El Paso.
Kemble.	Smith of Nueces.
Kennedy.	Smyth.
King of	Snelgrove.
Throckmorton.	Stell.
Kirby.	Stevenson.
Kirkland.	Stout.
Land.	Swain.
Loftin.	Taylor.
Loy.	Teer.
McCombs.	Turner.
McGill.	Van Zandt.
Merritt.	Veatch.
Montgomery.	Waddell.
Nabors.	Walker.
Nicholson.	Wallace of Panola.
Parish of Runnels.	Ware.
Parrish of Travis.	Wassell.
Pearce.	Webb.
Petsch.	Wells.
Poage.	Whitaker.
Pool.	Williams
Pope.	of Travis.
Porter.	Woodall.
Powell.	Young.

Present—Not Voting.

Kincaid.

Absent.

Anderson.	Masterson.
Barron.	Minor.
Bass.	Morse.
Beck.	Moursund.
Bonham.	Murphy.
Boon.	Olsen.
Denman.	Pavlica.
Dielmann.	Purl.
Dunlap.	Reagan.
Eickenroht.	Rogers of Shelby.
Faulk.	Sheats.
Foster.	Smith of Atascosa.
Fuchs.	Smith of Smith.
Hagaman.	Storey.
Harding.	Sutton.
Hefley.	Tillotson.
Jacks.	Wallace
Kayton.	of Freestone.
Kenyon.	Wallace of Smith.
King of Hopkins.	Williams of Sabine.
Lipscomb.	Williamson.
Long.	Woodruff.

Absent—Excused.

Kinnear.

McKean.

HOUSE BILL NO. 508 WITH SENATE AMENDMENTS.

Mr. Parrish of Travis called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 508, A bill to be entitled "An Act to require all State banks, savings banks, and bank and trust companies to adopt by-laws and to file certified copies of such by-laws with the Banking Commissioner; providing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Parrish of Travis, the House concurred in the Senate amendments by the following vote:

Yeas—105.

Mr. Speaker.	Johnson.
Acker.	Jones.
Albritton.	Justice.
Alexander.	Keeton.
Avis.	Kemble.
Barnett.	Kennedy.
Bateman.	Kincaid.
Beck.	King of
Bird.	Throckmorton.
Boggs.	Kirby.
Branch.	Kirkland.
Brice.	Land.
Conway.	Loftin.
Cornwell.	Loy.
Cox.	McCombs.
Cummings.	McGill.
Daniel.	Merritt.
Davis.	Minor.
Duvall.	Montgomery.
Enderby.	Nicholson.
Farrar.	Parish of Runnels.
Faulk.	Parrish of Travis.
Finlay.	Pearce.
Fly.	Petsch.
Forbes.	Poage.
Gates.	Pope.
Gibson.	Porter.
Gilbert.	Purl.
Graves.	Ramsey.
Gray.	Rawlins.
Hagaman.	Renfro
Hall.	of Angelina.
Harman.	Renfro of Mills.
Hefley.	Rogers of Hays.
High.	Rowell.
Hogg.	Sanders.
Holder.	Shaver.
Holland.	Shearer.
Hornaday.	Shears.

Shirley.	Van Zandt.	Avis.	McGill.
Simmons.	Veatch.	Barnett.	Merritt.
Sinks.	Waddell.	Bateman.	Minor.
Smith of Atascosa.	Walker.	Beck.	Nabors.
Smith of El Paso.	Ware.	Black.	Nicholson.
Smith of Nueces.	Wassell.	Boggs.	Parish of Runnels.
Smyth.	Webb.	Boon.	Pearce.
Snelgrove.	Wells.	Branch.	Petsch.
Stell.	Whitaker.	Brice.	Pool.
Stevenson.	Williams	Brown.	Pope.
Stout.	of Sabine.	Conway.	Porter.
Swain.	Williams	Cornwell.	Powell.
Taylor.	of Travis.	Cox.	Purl.
Teer.	Woodall.	Cummings.	Ramsey.
Turner.	Young.	Daniel.	Renfro

Absent.

Anderson.	Morse.
Barron.	Moursund.
Bass.	Murphy.
Black.	Nabors.
Bonham.	Olsen.
Boon.	Pavlica.
Brown.	Powell.
DeBerry.	Reagan.
Denman.	Rogers of Shelby.
Dielmann.	Runge.
Dunlap.	Satterwhite.
Eickenroht.	Smith of Smith.
Foster.	Storey.
Fuchs.	Sutton.
Harding.	Tillotson.
Jacks.	Wallace
Kayton.	of Freestone.
Kenyon.	Wallace of Panola.
King of Hopkins.	Wallace of Smith.
Lipscomb.	Williamson.
Long.	Woodruff.
Masterson.	

Absent—Excused.

Kinnear.	Pool.
McKean.	

HOUSE BILL NO. 7 WITH SENATE AMENDMENTS.

Mr. Montgomery called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 7, A bill to be entitled "An Act relating to prohibiting the sale, offer for sale and exposing for sale un-ripe oranges, lemons and other fruit."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Montgomery, the House concurred in the Senate amendments by the following vote:

Yeas—103.

Mr. Speaker.	Albritton.
Acker.	Alexander.

Avis.	McGill.
Barnett.	Merritt.
Bateman.	Minor.
Beck.	Nabors.
Black.	Nicholson.
Boggs.	Parish of Runnels.
Boon.	Pearce.
Branch.	Petsch.
Brice.	Pool.
Brown.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Cox.	Purl.
Cummings.	Ramsey.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Renfro of Mills.
Duvall.	Rogers of Hays.
Enderby.	Satterwhite.
Farrar.	Shaver.
Faulk.	Shearer.
Finlay.	Sheats.
Fly.	Shirley.
Forbes.	Simmons.
Gates.	Sinks.
Gibson.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Graves.	Smith of Smith.
Hagaman.	Smyth.
Hall.	Snelgrove.
Harding.	Stell.
Hefley.	Stevenson.
High.	Stout.
Hogg.	Swain.
Holder.	Teer.
Holland.	Turner.
Hornaday.	Van Zandt.
Johnson.	Veatch.
Jones.	Waddell.
Justice.	Wallace of Panola.
Kemble.	Wassell.
Kennedy.	Webb.
King of	Wells.
Throckmorton.	Whitaker.
Kirby.	Williams
Kirkland.	of Sabine.
Land.	Williams
Long.	of Travis.
Loy.	Woodall.
McCombs.	Young.

Nays—2.

Kincaid.	Walker.
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Absent.

Anderson.	Gray.
Barron.	Harman.
Bass.	Jacks.
Bird.	Kayton.
Bonham.	Keeton.
Denman.	Kenyon.
Dielmann.	King of Hopkins.
Dunlap.	Lipscomb.
Eickenroht.	Loftin.
Foster.	Masterson.
Fuchs.	Montgomery.

Morse.	Sanders.
Moursund.	Smith of Atascosa.
Murphy.	Storey.
Olsen.	Sutton.
Parrish of Travis.	Taylor.
Pavlica.	Tillotson.
Poage.	Wallace
Rawlins.	of Freestone.
Reagan.	Wallace of Smith.
Rogers of Shelby.	Ware.
Rowell.	Williamson.
Runge.	Woodruff.

Absent—Excused.

Kinnear.	McKean.
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HOUSE BILL NO. 8 WITH SENATE AMENDMENTS.

Mr. Harman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 8, A bill to be entitled "An Act to amend Article 2757, Revised Statutes of 1925, relating to formation of independent school districts, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Harman, the House concurred in the Senate amendments by the following vote:

Yeas—108.

Mr. Speaker.	Gilbert.
Acker.	Graves.
Albritton.	Gray.
Alexander.	Hagaman.
Avis.	Hall.
Barnett.	Harding.
Bateman.	Harman.
Bird.	Hefley.
Black.	High.
Boggs.	Hogg.
Bonham.	Holland.
Boon.	Hornaday.
Branch.	Johnson.
Brice.	Jones.
Brown.	Justice.
Conway.	Kemble.
Cornwell.	King of
Cox.	Throckmorton.
Cummings.	Kirby.
Daniel.	Kirkland.
Davis.	Land.
DeBerry.	Loftin.
Duvall.	Long.
Enderby.	Loy.
Eickenroht.	McCombs.
Farrar.	McGill.
Faulk.	Merritt.
Fly.	Minor.
Forbes.	Morse.
Gates.	Nabors.
Gibson.	Nicholson.

Parish of Runnels.	Smyth.
Parrish of Travis.	Snelgrove.
Pearce.	Stell.
Pool.	Stevenson.
Pope.	Storey.
Porter.	Stout.
Powell.	Swain.
Purl.	Taylor.
Ramsey.	Teer.
Rawlins.	Turner.
Renfro.	Van Zandt.
of Angelina.	Veatch.
Renfro of Mills.	Waddell.
Rogers of Hays.	Walker.
Rogers of Shelby.	Wallace of Panola.
Shaver.	Wassell.
Shearer.	Webb.
Sheats.	Wells.
Shirley.	Williams
Sinks.	of Sabine.
Smith of El Paso.	Woodall.
Smith of Nueces.	Woodruff.
Smith of Smith.	Young.

Absent.

Anderson.	Murphy.
Barron.	Olsen.
Bass.	Pavlica.
Beck.	Petsch.
Denman.	Poage.
Dielmann.	Reagan.
Dunlap.	Rowell.
Finlay.	Runge.
Foster.	Sanders.
Fuchs.	Satterwhite.
Holder.	Simmons.
Jacks.	Smith of Atascosa.
Kayton.	Sutton.
Keeton.	Tillotson.
Kennedy.	Wallace
Kenyon.	of Freestone.
Kincaid.	Wallace of Smith.
King of Hopkins.	Ware.
Lipscomb.	Whitaker.
Masterson.	Williams
Montgomery.	of Travis.
Moursund.	Williamson.

Absent—Excused.

Kinnear.	McKean.
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HOUSE BILL NO. 394 ON SECOND READING.

On motion of Mr. Land, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 394, A bill to be entitled "An Act to amend Article 1056 of the Code of Criminal Procedure of the State of Texas of 1925, changing the pay of grand jurors to three dollars per day, and declaring an emergency."

The Speaker laid the bill before the

House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 394 ON THIRD READING.

Mr. Land moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110.

Mr. Speaker.	McCombs.
Alexander.	McGill.
Avis.	Merritt.
Barnett.	Minor.
Bateman.	Montgomery.
Bird.	Morse.
Black.	Nabors.
Boggs.	Nicholson.
Boon.	Parish of Runnels.
Branch.	Parrish of Travis.
Brice.	Pavlica.
Brown.	Pearce.
Conway.	Petsch.
Cornwell.	Poage.
Cox.	Pool.
Cummings.	Pope.
Daniel.	Porter.
Davis.	Powell.
DeBerry.	Purl.
Duvall.	Ramsey.
Enderby.	Rawlins.
Eickenroht.	Renfro
Farrar.	of Angelina.
Faulk.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Runge.
Gates.	Satterwhite.
Gibson.	Shearer.
Gilbert.	Sheats.
Graves.	Shirley.
Gray.	Simmons.
Hagaman.	Sinks.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
Hefley.	Smyth.
High.	Snelgrove.
Hogg.	Stell.
Holder.	Storey.
Holland.	Swain.
Hornaday.	Taylor.
Johnson.	Teer.
Jones.	Tillotson.
Justice.	Turner.
Keeton.	Van Zandt.
Kemble.	Veatch.
Kennedy.	Waddell.
King of	Walker.
Throckmorton.	Wallace of Panola.
Kirkland.	Ware.
Loftin.	Wassell.
Loy.	Webb.

Wells.
Whitaker.
Williams
of Sabine.

Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—3.

Albritton.
Kincaid.

Olsen.

Absent.

Acker.
Anderson.
Barron.
Bass.
Beck.
Bonham.
Denman.
Dielmann.
Dunlap.
Foster.
Fuchs.
Hall.
Jacks.
Kayton.
Kenyon.
King of Hopkins.
Kirby.
Land.

Lipscomb.
Long.
Masterson.
Moursund.
Murphy.
Reagan.
Renfro of Mills.
Sanders.
Shaver.
Smith of Atascosa.
Smith of El Paso.
Stevenson.
Stout.
Sutton.
Wallace
of Freestone.
Wallace of Smith.
Williamson.

Absent—Excused.

Kinnear.

McKean.

The Speaker then laid House bill No. 394 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—108.

Mr. Speaker.
Acker.
Albritton.
Alexander.
Avis.
Bateman.
Bird.
Black.
Boggs.
Bonham.
Boon.
Branch.
Brice.
Brown.
Conway.
Cornwell.
Cox.
Daniel.
Davis.
DeBerry.
Duvall.
Enderby.
Farrar.
Faulk.

Finlay.
Fly.
Forbes.
Gates.
Gibson.
Gilbert.
Graves.
Hagaman.
Harding.
Harman.
Hefley.
High.
Hogg.
Holder.
Hornaday.
Johnson.
Jones.
Justice.
Keeton.
Kemble.
Kennedy.
Kincaid.
King of
Throckmorton.

Kirkland.	Shearer.
Land.	Sheats.
Loftin.	Shirley.
Loy.	Simmons.
McCombs.	Sinks.
McGill.	Smith of El Paso.
Merritt.	Smith of Nueces.
Minor.	Smith of Smith.
Montgomery.	Smyth.
Morse.	Snelgrove.
Nabors.	Stell.
Nicholson.	Storey.
Olsen.	Swain.
Parish of Runnels.	Taylor.
Parrish of Travis.	Teer.
Pavlica.	Tillotson.
Pearce.	Turner.
Petsch.	Van Zandt.
Pool.	Veatch.
Pope.	Walker.
Porter.	Wallace of Panola.
Powell.	Ware.
Purl.	Webb.
Ramsey.	Wells.
Rawlins.	Whitaker.
Renfro	Williams
of Angelina.	of Sabine.
Renfro of Mills.	Williams
Rogers of Hays.	of Travis.
Rogers of Shelby.	Woodall.
Runge.	Woodruff.
Satterwhite.	Young.

Absent.

Anderson.	Lipscomb.
Barnett.	Long.
Barron.	Masterson.
Bass.	Moursund.
Beck.	Murphy.
Cummings.	Poage.
Denman.	Reagan.
Dielmann.	Rowell.
Dunlap.	Sanders.
Eickenroht.	Shaver.
Foster.	Smith of Atascosa.
Fuchs.	Stevenson.
Gray.	Stout.
Hall.	Sutton.
Holland.	Waddell.
Jacks.	Wallace
Kayton.	of Freestone.
Kenyon.	Wallace of Smith.
King of Hopkins.	Wassell.
Kirby.	Williamson.

Absent—Excused.

Kinnear.	McKean.
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SENATE BILL NO. 409 ON SECOND
READING.

On motion of Mr. Loftin, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,
S. B. No. 409, A bill to be entitled

"An Act to amend Articles 4401 and 4403 of the Revised Civil Statutes of Texas, by providing that the Attorney General shall be authorized and required to attend sales of property under deeds of trust, to bid on and buy in and sell said property."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 409 ON THIRD
READING.

Mr. Loftin moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 409 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Mr. Speaker.	Kemble.
Alexander.	Kennedy.
Avis.	Kincaid.
Bateman.	King of
Beck.	Throckmorton.
Bird.	Kirby.
Black.	Kirkland.
Boggs.	Land.
Boon.	Loftin.
Branch.	Long.
Brice.	Loy.
Brown.	McCombs.
Conway.	McGill.
Cornwell.	Montgomery.
Cox.	Morse.
Cummings.	Nabors.
Daniel.	Nicholson.
Davis.	Olsen.
DeBerry.	Parish of Runnels.
Enderby.	Parrish of Travis.
Farrar.	Pavlica.
Faulk.	Pearce.
Finlay.	Petsch.
Fly.	Poage.
Forbes.	Pool.
Gates.	Pope.
Gibson.	Porter.
Gilbert.	Powell.
Graves.	Purl.
Gray.	Ramsey.
Hagaman.	Rawlins.
Hall.	Renfro
Harding.	of Angelina.
Harman.	Renfro of Mills.
Hefley.	Rogers of Hays.
High.	Rogers of Shelby.
Hogg.	Runge.
Holder.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shearer.
Johnson.	Shears.
Jones.	Shirley.
Keeton.	Simmons.

Sinks.	Walker.
Smith of El Paso.	Wallace
Smith of Nueces.	of Freestone.
Smith of Smith.	Wallace of Panola.
Smyth.	Ware.
Snelgrove.	Webb.
Stell.	Wells.
Storey.	Williams
Swain.	of Sabine.
Taylor.	Williams
Teer.	of Travis.
Tillotson.	Williamson.
Turner.	Woodall.
Van Zandt.	Woodruff.
Veatch.	Young.

Nays—1.

Albritton.

Present—Not Voting.

Justice.

Absent.

Acker.	Lipscomb.
Anderson.	Masterson.
Barnett.	Merritt.
Barron.	Minor.
Bass.	Moursund.
Bonham.	Murphy.
Denman.	Reagan.
Dielmann.	Rowell.
Dunlap.	Shaver.
Duvall.	Smith of Atascosa.
Eickenroht.	Stevenson.
Foster.	Stout.
Fuchs.	Sutton.
Jacks.	Waddell.
Kayton.	Wallace of Smith.
Kenyon.	Wassell.
King of Hopkins.	Whitaker.

Absent—Excused.

Kinnear.

McKean.

The Speaker then laid Senate bill No. 409 before the House on its third reading final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Mr. Speaker.	Brice.
Acker.	Brown.
Albritton.	Conway.
Alexander.	Cornwell.
Avis.	Cox.
Barnett.	Cummings.
Bateman.	Daniel.
Beck.	DeBerry.
Bird.	Duvall.
Black.	Enderby.
Boggs.	Farrar.
Boon.	Faulk.
Branch.	Finlay.

Fly.	Pope.
Forbes.	Porter.
Gates.	Powell.
Gibson.	Ramsey.
Gilbert.	Rawlins.
Graves.	Renfro of Mills.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hall.	Runge.
Harding.	Sanders.
Harman.	Satterwhite.
Hefley.	Shearer.
High.	Sheats.
Hogg.	Shirley.
Holland.	Simmons.
Hornaday.	Sinks.
Johnson.	Smith of Nueces.
Jones.	Smith of Smith.
Justice.	Smyth.
Keeton.	Snelgrove.
Kemble.	Stell.
Kennedy.	Storey.
Kincaid.	Swain.
King of	Taylor.
Throckmorton.	Teer.
Kirby.	Tillotson.
Kirkland.	Turner.
Land.	Van Zandt.
Long.	Veatch.
Loy.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Montgomery.	Wallace of Panola.
Morse.	Ware.
Nabors.	Webb.
Nicholson.	Wells.
Olsen.	Williams
Parish of Runnels.	of Sabine.
Parrish of Travis.	Williams
Pavlica.	of Travis.
Pearce.	Woodall.
Petsch.	Woodruff.
Poage.	Young.
Pool.	

Absent.

Anderson.	Minor.
Barron.	Moursund.
Bass.	Murphy.
Bonham.	Purl.
Davis.	Reagan.
Denman.	Renfro
Dielmann.	of Angelina.
Dunlap.	Rowell.
Eickenroht.	Shaver.
Foster.	Smith of Atascosa.
Fuchs.	Smith of El Paso.
Holder.	Stevenson.
Jacks.	Stout.
Kayton.	Sutton.
Kenyon.	Waddell.
King of Hopkins.	Wallace of Smith.
Lipscomb.	Wassell.
Loftin.	Whitaker.
Masterson.	Williamson.
Merritt.	

Absent—Excused.

Kinnear.

McKean.

HOUSE BILL NO. 379 ON SECOND
READING.

On motion of Mr. Loy, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 379, A bill to be entitled "An Act to authorize and empower the State Highway Department of the State of Texas to make an allotment of aid from any monies available in the State Highway fund and expend same in acquiring, constructing and maintaining any bridge spanning or to span any stream which forms the boundary between this and any other State; to build and construct a bridge across any such stream, provided that such bridge shall connect a designated highway of this State with a designated highway of such other State and such other State shall have enacted a statute containing provisions similar to this statute; providing for the said State to join in the matter of acquiring, constructing and maintaining of such bridge; providing that in no event shall the State Highway Department of this State allot or expend more than one-half of the amount necessary to acquire, construct and maintain any such bridge; expressing the assent of this State to the provisions of an act of the Sixty-fourth Congress of the United States, approved July 11, 1916, being 'An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes'; memorializing all States adjoining this State to enact a statute of this nature and the Congress of the United States of America to pass an act whereby any bridge now spanning any boundary between States and connecting designated highways of such States may be condemned for public use and maintained for the public use without charge, and to provide the manner of such condemnation, and make appropriations to aid in the purchase, condemnation, construction and maintenance of such bridge for public use without charge to the public, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Loy offered the following amendment to the bill:

Amend House bill No. 379 by adding

the words "or portions of any stream," between the words "stream" and the words "constituting," in the sentence, "constituting a boundary between the State of Texas," in Section 1.

The amendment was adopted.

House bill No. 379 was then passed to engrossment.

HOUSE BILL NO. 379 ON THIRD
READING.

Mr. Loy moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Kirkland.
Alexander.	Land.
Avis.	Long.
Barnett.	McCombs.
Bateman	McGill.
Beck.	Minor.
Bird.	Montgomery.
Black.	Morse.
Boggs.	Nabors.
Boon.	Nicholson.
Branch.	Parish of Runnels.
Brice.	Parrish of Travis.
Brown.	Pavlica.
Conway.	Pearce.
Cornwell.	Petsch.
Cox.	Poage.
Cummings.	Pool.
Daniel.	Pope.
DeBerry.	Porter.
Duvall.	Powell.
Enderby.	Ramsey.
Farrar.	Renfro of Mills.
Faulk.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Rowell.
Gates.	Runge.
Gibson.	Sanders.
Gilbert.	Satterwhite.
Graves.	Shearer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Smith of Atascosa.
Harman.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Hogg.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stell.
Johnson.	Storey.
Jones.	Stout.
Justice.	Swain.
Keeton.	Taylor.
Kemble.	Teer.
Kincaid.	Turner.

Van Zandt.
Veatch.
Waddell.
Wallace of Panola.
Ware.
Wassell.
Webb.

Wells.
Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—7.

Albritton.
Finlay.
Holder.
Kennedy.

King of
Throckmorton.
Olsen.
Walker.

Absent.

Acker.
Anderson.
Barron.
Bass.
Bonham.
Davis.
Denman.
Dielmann.
Dunlap.
Eickenroht.
Foster.
Fuchs.
Jacks.
Kayton.
Kenyon.
King of Hopkins.
Kirby.
Lipscomb.
Loftin.
Loy.
Masterson.

Merritt.
Moursund.
Murphy.
Purl.
Rawlins.
Reagan.
Renfro
of Angelina.
Shaver.
Sinks.
Stevenson.
Sutton.
Tillotson.
Wallace
of Freestone.
Wallace of Smith.
Whitaker.
Williams
of Sabine.
Williamson.

Absent—Excused.

Kinnear.

McKean.

The Speaker then laid House bill No. 379 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109.

Mr. Speaker.
Albritton.
Alexander.
Avis.
Barnett.
Barron.
Bateman.
Beck.
Black.
Boggs.
Branch.
Brice.
Conway.
Cornwell.
Cox.
Cummings.
Daniel.
DeBerry.

Duvall.
Enderby.
Eickenroht.
Farrar.
Faulk.
Finlay.
Fly.
Forbes.
Gates.
Gibson.
Gilbert.
Graves.
Gray.
Hagaman.
Hall.
Harman.
Hesley.
High.

Hogg.
Holland.
Hornaday.
Johnson.
Jones.
Justice.
Keeton.
Kennedy.
Kincaid.
King of
Throckmorton.
Kirby.
Land.
Loftin.
Long.
Loy.
McCombs.
McGill.
Merritt.
Minor.
Montgomery.
Morse.
Nabors.
Nicholson.
Olsen.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Pearce.
Petsch.
Poage.
Pope.
Powell.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.

Renfro of Mills.
Rogers of Shelby.
Rowell.
Runge.
Sanders.
Satterwhite.
Shearer.
Sheats.
Shirley.
Simmons.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Smyth.
Snelgrove.
Stell.
Storey.
Stout.
Swain.
Taylor.
Teer.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Wallace of Panola.
Ware.
Wassell.
Webb.
Williams
of Sabine.
Williams of Travis.
Woodall.
Woodruff.
Young.

Nays—2.

Boon.

Walker.

Absent.

Acker.
Anderson.
Bass.
Bird.
Bonham.
Brown.
Davis.
Denman.
Dielmann.
Dunlap.
Foster.
Fuchs.
Harding.
Holder.
Jacks.
Kayton.
Kemble.
Kenyon.
King of Hopkins.

Kirkland.
Lipscomb.
Masterson.
Moursund.
Murphy.
Porter.
Reagan.
Rogers of Hays.
Shaver.
Smith of Atascosa.
Stevenson.
Sutton.
Wallace
of Freestone.
Wallace of Smith.
Wells.
Whitaker.
Williamson.

Absent—Excused.

Kinnear.
McKean.

Pool.

On motion of Mr. Pope, the call of the House was extended until 6:30 o'clock p. m. today.

REPORT OF THE COMMITTEE ON RULES.

The Speaker laid before the House, for consideration at this time, the following report of the Committee on Rules:

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Rules, to whom was referred

H. C. R. No. 34, have had same under consideration and beg to report back with the recommendation that a substitute therefor adopted under the title of a "simple resolution" do pass, the simple resolution being as follows:

"Be it resolved by the House, That the rule prohibiting either House or Senate bills to be taken up on second reading seventy-two hours prior to the adjournment hour, be suspended until six o'clock p. m. Monday, March 14, 1927."

SATTERWHITE,
TILLOTSON,
NICHOLSON, Chairman,
Committee on Rules.

Question first recurring on the substitute resolution as reported by the committee, it was adopted.

The resolution, as substituted, was then adopted by the following vote:

Yeas—91.

Mr. Speaker.	Hagaman.
Alexander.	Hall.
Avis.	Harding.
Barnett.	Harman.
Boggs.	Hefley.
Bonham.	High.
Branch.	Hogg.
Brown.	Holder.
Conway.	Holland.
Cornwell.	Hornaday.
Cummings.	Jones.
Davis.	Justice.
DeBerry.	Keeton.
Duval.	Kemble.
Enderby.	Kennedy.
Farrar.	Kincaid.
Fly.	Kirkland.
Forbes.	Land.
Gibson.	McCombs.
Gilbert.	McGill.
Graves.	Merritt.
Gray.	Minor.

Montgomery.	Simmons.
Morse.	Sinks.
Nicholson.	Smith of El Paso.
Olsen.	Smith of Nueces.
Parish of Runnels.	Smith of Smith.
Parrish of Travis.	Snelgrove.
Petsch.	Stell.
Poage.	Stout.
Pool.	Taylor.
Pope.	Teer.
Porter.	Tillotson.
Purl.	Turner.
Ramsey.	Van Zandt.
Rawlins.	Veatch.
Renfro	Waddell.
of Angelina.	Walker.
Renfro of Mills.	Wallace
Rogers of Hays.	of Freestone.
Rogers of Shelby.	Ware.
Sanders.	Wassell.
Satterwhite.	Webb.
Shaver.	Wells.
Shearer.	Williams
Sheats.	of Sabine.
Shirley.	Young.

Nays—15.

Albritton.	Nabors.
Bird.	Pavlica.
Black.	Pearce.
Brice.	Storey.
Eickenroht.	Wallace of Panola.
Faulk.	Williams
Johnson.	of Travis.
Long.	Woodall.

Present—Not Voting.

Powell.	Runge.
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Absent.

Acker.	King of
Anderson.	Throckmorton.
Barron.	Kirby.
Bass.	Lipscomb.
Bateman.	Loftin.
Beck.	Loy.
Boon.	Masterson.
Cox.	Moursund.
Daniel.	Murphy.
Denman.	Reagan.
Dielmann.	Rowell.
Dunlap.	Smith of Atascosa.
Finlay.	Smyth.
Foster.	Stevenson.
Fuchs.	Sutton.
Gates.	Swain.
Jacks.	Wallace of Smith.
Kayton.	Whitaker.
Kenyon.	Williamson.
King of Hopkins.	Woodruff.

Absent—Excused.

Kinnear.	McKean.
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CONFERENCE COMMITTEE ON
SENATE BILL NO. 311.

The Speaker announced the appointment of the free conference committee on Senate bill No. 311 as follows:

Messrs. Powell, Smyth, Montgomery, Storey and Satterwhite.

COMMITTEE TO ADOPT STATE
SONG.

In compliance with a resolution heretofore adopted by the House authorizing the Speaker to appoint a committee of four to select a State song, the Speaker announced the appointment of the following committee:

Messrs. Dunlap, Chairman; Purl, Hagaman and Duvall.

HOUSE BILL NO. 109 WITH SENATE
AMENDMENTS.

Mr. Wallace of Freestone called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 109, A bill to be entitled "An Act relative to the registration fees of motor vehicles and motorcycles; amending Article 607S, Revised Civil Statutes of 1925, so as to eliminate registration fees of passenger motor vehicles based on horse power."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Wallace of Freestone moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

Simple resolution No. 88, Requesting the House to return House bill No. 488 for further consideration.

H. B. No. 300, A bill to be entitled "An Act to validate the grants of land made by the Crown of Spain to Juan

Antonio Vidaurri, his heirs and assigns, of Porciones 39 and 40, lying and being situated in Zapata county, Texas, and to authorize the Commissioner of the General Land Office to issue patents to Juan Antonio Vidaurri, his heirs and assigns, to said porciones, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 324 ON SECOND
READING.

On motion of Mr. Kemble, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 324, A bill to be entitled "An Act authorizing the creation of trust companies, defining their powers, fixing their liabilities, providing for the manner and form of their incorporation; providing for the supervision of the same by the State Banking Commissioner, providing for reserves against deposits, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Kemble offered the following amendment to the bill:

Amend Senate bill No. 324 by adding a new section pumbered Section 1a to read as follows:

"Provided the words 'without banking privileges' shall be used by all such corporations in advertising."

The amendment was adopted.

Senate bill No. 324 was then passed to third reading.

MOTION TO TAKE UP SENATE
BILL NO. 324.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 324 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—58.

Barron.	Cox.
Beck.	Duvall.
Black.	Enderby.
Brice.	Farrar.
Brown.	Finlay.

Fly.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Gray.	Shears.
Hagaman.	Shirley.
Harman.	Simmons.
Hefley.	Sinks.
Holder.	Smith of El Paso.
Holland.	Smith of Smith.
Jones.	Smyth.
Kemble.	Stevenson.
Kincaid.	Swain.
Kirby.	Taylor.
Kirkland.	Teer.
Long.	Tillotson.
Minor.	Van Zandt.
Montgomery.	Veatch.
Morse.	Wassell.
Nicholson.	Wells.
Parrish of Travis.	Whitaker.
Pearce.	Williams
Petsch.	of Sabine.
Poage.	Williams
Pool.	of Travis.
Ramsey.	Woodall.
Rogers of Hays.	

Nays—48.

Barnett.	Olsen.
Bateman.	Parish of Runnels.
Bird.	Pavlica.
Boon.	Pope.
Conway.	Porter.
Cornwell.	Purl.
Cummings.	Rawlins.
Davis.	Renfro
Eickenroht.	of Angelina.
Forbes.	Rogers of Shelby.
Graves.	Rowell.
Hall.	Runge.
Harding.	Sanders.
High.	Smith of Atascosa.
Hogg.	Smith of Nueces.
Hornaday.	Snelgrove.
Johnson.	Stell.
Justice.	Storey.
Kennedy.	Stout.
King of	Turner.
Throckmorton.	Walker.
Land.	Wallace
Loftin.	of Freestone.
Loy.	Wallace of Panola.
McCombs.	Ware.
McGill.	Webb.
Merritt.	Young.
Nabors.	

Present—Not Voting.

Branch.	Keeton.
DeBerry.	Renfro of Mills.

Absent.

Acker.	Anderson.
Albritton.	Avis.
Alexander.	Bass.

Boggs.	King of Hopkins.
Bonham.	Lipscomb.
Daniel.	Masterson.
Denman.	Moursund.
Dielmann.	Murphy.
Dunlap.	Powell.
Faulk.	Reagan.
Foster.	Sutton.
Fuchs.	Waddell.
Gates.	Wallace of Smith.
Jacks.	Williamson.
Kayton.	Woodruff.
Kenyon.	

Absent—Excused.

Kinnear.	McKean.
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MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 451, A bill to be entitled "An Act in the interest of maternity and infancy welfare and hygiene, accepting the provisions of an act of the United States Congress approved December 23, 1921, as amended by the Sixty-ninth Congress by an act approved January 22, 1927, and entitled 'An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes,' commonly known as the 'Shepard-Towner Act'; providing that the work shall be carried on through the State Board of Health through its Bureau of Child Hygiene, and declaring an emergency."

S. B. No. 404, A bill to be entitled "An Act to amend Article No. 322 of the Revised Civil Statutes of 1925."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RELATING TO HOUSE BILL NO. 412.

On motion of Mr. Kirkland, the Engrossing Clerk was authorized to add the emergency clause to House bill No. 412.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before before the House, read severally first time and referred to the appropriate committees as follows:

S. B. No. 135, to the Judiciary Committee.

S. B. No. 136, to the Judiciary Committee.

S. B. No. 474, to the Committee on State Affairs.

RECESS.

Mr. Montgomery moved that the House recess to 8:15 o'clock p. m. today.

Mr. Stevenson moved that the House adjourn to 9:30 o'clock a. m. tomorrow.

The motion of Mr. Montgomery prevailed, and the House, accordingly, at 8:40 o'clock p. m., took recess to 8:15 o'clock p. m. today.

NIGHT SESSION.

The House met at 8:15 o'clock p. m. and was called to order by the Speaker.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m. today, and the call was duly seconded.

The motion for the call prevailed.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Cummings, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

BILL ORDERED NOT PRINTED.

On motion of Mr. Harman, Senate bill No. 474 was ordered not printed.

SENATE BILL NO. 441 ON SECOND READING.

On motion of Mr. DeBerry, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 441, A bill to be entitled "An Act fixing the maximum fees and excess fees that may be retained by the county attorney of any county having a population of as many as 25,000 and not more than 37,500, in which county there is no city containing over 25,000 inhabitants and such county attorney

performs the duties of a district attorney provided by law to perform such duties, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. DeBerry offered the following (committee) amendments to the bill:

(1)

Amend Senate bill No. 441 by striking out the figures "25,000" wherever they occur, and insert in lieu thereof the figures "35,000."

(2)

Amend Senate bill No. 441, in line 2 of the original bill, by adding after the figures "\$37,500," the following: "according to the census of 1920."

(3)

Amend Senate bill No. 441 by striking out of Section 1, the words "twelve hundred dollars," and inserting in lieu thereof the following: "five hundred dollars."

(4)

Amend caption to correspond with the amendments to the bill.

The amendments were severally adopted.

Senate bill No. 441 was then passed to third reading.

SENATE BILL NO. 476 ON SECOND READING.

On motion of Mr. Gray, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 476, A bill to be entitled "An Act to create Road District No. 2 in Brazos county," etc.

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 478, "An Act making provision for a district attorney in the Ninetieth Judicial District of Texas and an assistant district attorney in said district, etc., and declaring an emergency."

H. B. No. 316, "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended from time to time, so as to include Fort Bend county."

H. B. No. 516, "An Act to amend Article 5525 of the Revised Civil Statutes of the State of Texas, 1925, by providing for the survival of a cause of action for injuries in case of the death of the injured person."

H. B. No. 512, "An Act requiring all State banks to charge off annually for depreciation a percentage of cost for furniture and fixtures, and regulating the carrying of bank buildings as an asset, and declaring an emergency."

H. B. No. 510, "An Act making it a felony for any director, officer or employe of a State bank or bank and trust company to enter into any contract with a bucket shop, as defined in Article 659 of the Penal Code of Texas, or to place any order with a bucket shop, as thus defined, for a margin contract or any contract denounced by Article 658 and by Article 661 of the Penal Code of Texas; fixing a penalty, and declaring an emergency."

H. B. No. 504, "An Act amending Article 517, Revised Civil Statutes of Texas, 1925, and providing that no attorney's fee shall be collectible on notes or other evidence of debt issued by a State bank in the hands of the commissioner for liquidation, where such notes or other evidence of debt are placed with an attorney for collection within thirty days after closing of such bank, and declaring an emergency."

H. B. No. 485, "An Act abolishing the office of district attorney in the Second Judicial District of Texas, fixing the duties of the county attorneys of said district, and fixing their compensation; repealing all laws or parts of laws in conflict herewith and providing when said act shall be effective."

H. B. No. 501, "An Act requiring the Banking Commissioner of Texas to file a final report of all liquidations; providing that upon approval of such final report the charter of each such bank shall be forfeited; and further providing for the filing of certificates of such forfeiture, and declaring an emergency."

H. B. No. 500, "An Act to repeal Article 348, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 502, "An Act requiring directors of State banks, bank and trust companies and banking corporations, organized and doing business under the laws of this State, to be elected annually, and declaring an emergency."

H. B. No. 487, "An Act amending Article 351, Revised Civil Statutes of Texas, 1925, changing and increasing the compensation of Field Examiners for State banks and banking corporations, and declaring an emergency."

H. B. No. 505, "An Act prohibiting the Banking Commissioner and his employes from purchasing, directly or indirectly, any asset belonging to a State bank in the hands of the commissioner for liquidation; providing penalty, and declaring an emergency."

H. B. No. 503, "An Act relieving State banks in the hands of the Banking Commissioner for liquidation, from the payment of franchise taxes; providing that the failure of the commissioner to pay franchise taxes for any such bank shall not operate to revoke or forfeit the charter of such corporation; repealing all laws in conflict, and declaring an emergency."

H. B. No. 506, "An Act amending Article 497, Revised Civil Statutes of Texas, 1925, and empowering the Banking Commissioner to require from State banks any statement concerning the affairs of such corporations as he may deem necessary; providing a penalty; fixing the venue of suits, and the disposition of penalties collected, and declaring an emergency."

H. B. No. 507, "An Act repealing Article 372, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 536, "An Act to relieve the Banking Commissioner of Texas and the State Banking Board from giving cost bonds in trial courts, and cost bonds and supersedeas bonds on appeal; repealing all laws in conflict herewith, and declaring an emergency."

HOUSE BILL NO. 566 ON SECOND READING.

On motion of Mr. Rawlins, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 566, A bill to be entitled "An Act to create a district court of Dallas county, to be known as the Ju-

venile District Court of Dallas county; to define the jurisdiction thereof; fixing the salary of the judge of said court; providing for the appointment and election of the judge of said court hereby created; providing for the transfer of causes to said court; providing for the appointment of special judges and filling vacancies in said offices; providing for the drawing of jurors for said court and for the exchange with other district judges, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Rawlins offered the following amendment to the bill:

Amend House bill No. 566, page 2, line 12, by striking out the words "in like manner," and inserting in lieu thereof the following: "by Dallas county, out of its general funds."

The amendment was adopted.

Mr. McCombs moved the previous question on the passage of the bill to engrossment and the main question was ordered.

House bill No. 566 was then passed to engrossment by the following vote:

Yeas—36.

Mr. Speaker.	Rawlins.
Barron.	Rogers of Hays.
Beck.	Satterwhite.
Black.	Shaver.
Forbes.	Shearer.
Graves.	Shirley.
Gray.	Simmons.
Harman.	Smith of El Paso.
Holder.	Smith of Nueces.
Hornaday.	Snelgrove.
Jones.	Swain.
Keeton.	Teer.
Long.	Van Zandt.
McCombs.	Wells.
Montgomery.	Williams
Nicholson.	of Sabine.
Parrish of Travis.	Williams
Petsch.	of Travis.
Porter.	Young.
Ramsey.	

Nays—30.

Avis.	Loftin.
Barnett.	Loy.
Bird.	Nabors.
Cummings.	Pavlica.
Davis.	Poage.
Duvall.	Pool.
Finlay.	Purl.
High.	Rowell.
Kennedy.	Runge.
Kincaid.	Sheats.
King of	Smith of Atascosa.
Throckmorton.	Storey.

Stout.
Veatch.
Waddell.
Walker.

Wallace
of Freestone.
Wallace of Panola.
Whitaker.

Present—Not Voting.

Bateman.
Brice.
Brown.
Conway.
Cornwell.
Daniel.
DeBerry.
Enderby.
Eickenroht.
Farrar.
Fly.
Gilbert.
Hagaman.
Hall.
Holland.
Justice.
Kirkland.
Land.
McGill.
Minor.

Olsen.
Parish of Runnels.
Pope.
Powell.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Shelby.
Sanders.
Sinks.
Smith of Smith.
Stell.
Stevenson.
Taylor.
Tillotson.
Turner.
Wassell.
Webb.
Williamson.

Absent.

Acker.
Albritton.
Alexander.
Anderson.
Bass.
Boggs.
Bonham.
Boon.
Branch.
Cox.
Dielmann.
Dunlap.
Denman.
Faulk.
Foster.
Fuchs.
Gates.
Gibson.
Harding.
Hefley.
Hogg.

Jacks.
Johnson.
Kayton.
Kemble.
Kenyon.
King of Hopkins.
Kirby.
Lipscomb.
Masterson.
Merritt.
Morse.
Moursund.
Murphy.
Pearce.
Reagan.
Smyth.
Sutton.
Wallace of Smith.
Ware.
Woodall.
Woodruff.

Absent—Excused.

Kinnear.

McKean.

SENATE BILL NO. 476 ON THIRD READING.

Mr. Gray moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Parrish of Travis.
Avis.	Pavlica.
Barnett.	Petsch.
Barron.	Poage.
Bateman.	Pool.
Beck.	Pope.
Bird.	Porter.
Black.	Powell.
Boggs.	Purl.
Brice.	Ramsey.
Brown.	Rawlins.
Conway.	Renfro
Cornwell.	of Angelina.
Daniel.	Renfro of Mills.
Davis.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Duvall.	Rowell.
Enderby.	Runge.
Farrar.	Sanders.
Finlay.	Satterwhite.
Fly.	Shaver.
Forbes.	Shearer.
Gates.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hagaman.	Smith of Atascosa.
Hall.	Smith of El Paso.
Harman.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Snelgrove.
Holland.	Storey.
Hornaday.	Stout.
Jones.	Swain.
Justice.	Taylor.
Keeton.	Tillotson.
Kincaid.	Turner.
King of	Van Zandt.
Throckmorton.	Veatch.
Kirkland.	Waddell.
Land.	Walker.
Loftin.	Wallace
Long.	of Freestone.
Loy.	Wallace of Panola.
McCombs.	Wassell.
McGill.	Webb.
Minor.	Wells.
Montgomery.	Whitaker.
Morse.	Williams
Nabors.	of Sabine.
Nicholson.	Williams
Olsen.	of Travis.
Parish of Runnels.	Young.

Nays—1.

Kennedy.

Present—Not Voting.

Cummings.

Eickenroht.

Absent.

Acker.
Albritton.
Alexander.

Anderson.
Bass.
Bonham.

Boon.	Kirby.
Branch.	Lipscomb.
Cox.	Masterson.
Denman.	Merritt.
Dielmann.	Moursund.
Dunlap.	Murphy.
Faulk.	Pearce.
Foster.	Reagan.
Fuchs.	Smyth.
Gibson.	Stell.
Harding.	Stevenson.
Hefley.	Sutton.
Hogg.	Teer.
Jacks.	Wallace of Smith.
Johnson.	Ware.
Kayton.	Williamson.
Kemble.	Woodall.
Kenyon.	Woodruff.
King of Hopkins.	

Absent—Excused.

Kinnear.

McKean.

The Speaker then laid Senate bill No. 476 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Jones.
Avis.	Justice.
Barnett.	Keeton.
Barron.	Kennedy.
Bateman.	Kincaid.
Beck.	King of
Bird.	Throckmorton.
Black.	Kirkland.
Boggs.	Land.
Brice.	Loftin.
Brown.	Long.
Conway.	McGill.
Cornwell.	Minor.
Cummings.	Montgomery.
Daniel.	Morse.
Davis.	Nabors.
DeBerry.	Nicholson.
Duvall.	Olsen.
Enderby.	Parish of Runnels.
Eickenroht.	Parrish of Travis.
Farrar.	Pavlica.
Finlay.	Petsch.
Fly.	Poage.
Forbes.	Pool.
Gates.	Pope.
Gilbert.	Porter.
Graves.	Powell.
Gray.	Purl.
Hagaman.	Ramsey.
Hall.	Rawlins.
Harman.	Renfro
High.	of Angelina.
Holder.	Renfro of Mills.
Holland.	Rogers of Hays.
Hornaday.	Rogers of Shelby.

Rowell.	Tillotson.
Runge.	Turner.
Sanders.	Van Zandt.
Satterwhite.	Veatch.
Shaver.	Waddell.
Shearer.	Walker.
Sheats.	Wallace
Shirley.	of Freestone.
Simmons.	Wallace of Panola.
Sinks.	Wassell.
Smith of Atascosa.	Webb.
Smith of El Paso.	Wells.
Smith of Nueces.	Whitaker.
Smith of Smith.	Williams
Snelgrove.	of Sabine.
Stell.	Williams
Storey.	of Travis.
Swain.	Williamson.
Taylor.	Young.

Present—Not Voting.

McCombs.

Absent.

Acker.	Kemble.
Albritton.	Kenyon.
Alexander.	King of Hopkins.
Anderson.	Kirby.
Bass.	Lipscomb.
Bonham.	Loy.
Boon.	Masterson.
Branch.	Merritt.
Cox.	Moursund.
Denman.	Murphy.
Dielmann.	Pearce.
Dunlap.	Reagan.
Faulk.	Smyth.
Foster.	Stevenson.
Fuchs.	Stout.
Gibson.	Sutton.
Harding.	Teer.
Hesley.	Wallace of Smith.
Hogg.	Ware.
Jacks.	Woodall.
Johnson.	Woodruff.
Kayton.	

Absent—Excused.

Kinnear.

McKean.

SENATE BILL NO. 441 ON THIRD
READING.

Mr. DeBerry moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 441 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Bateman.
Avis.	Bird.
Barnett.	Black.
Barron.	Boggs.

Brice.	Powell.
Brown.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cummings.	Renfro
Daniel.	of Angelina.
Davis.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Enderby.	Rowell.
Eickenroht.	Runge.
Farrar.	Sanders.
Finlay.	Satterwhite.
Fly.	Shaver.
Forbes.	Shearer.
Gates.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hagaman.	Smith of Atascosa.
Hall.	Smith of El Paso.
Harman.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Snelgrove.
Holland.	Stell.
Hornaday.	Stevenson.
Jones.	Storey.
Justice.	Stout.
Keeton.	Swain.
Kincaid.	Taylor.
King of	Teer.
Throckmorton.	Tillotson.
Land.	Turner.
Loftin.	Van Zandt.
Long.	Veatch.
McCombs.	Waddell.
McGill.	Walker.
Minor.	Wallace
Montgomery.	of Freestone.
Nabors.	Wallace of Panola.
Nicholson.	Wassell.
Parish of Runnels.	Webb.
Parrish of Travis.	Wells.
Pavlica.	Whitaker.
Petsch.	Williams
Ponge.	of Sabine.
Pool.	Williams
Pope.	of Travis.
Porter.	Young.

Nays—2.

Kennedy.

Olsen.

Absent.

Acker.	Dunlap.
Albritton.	Faulk.
Alexander.	Foster.
Anderson.	Fuchs.
Bass.	Gibson.
Beck.	Harding.
Bonham.	Hesley.
Boon.	Hogg.
Branch.	Jacks.
Cox.	Johnson.
Denman.	Kayton.
Dielmann.	Kemble.

Kenyon.	Murphy.
King of Hopkins.	Pearce.
Kirby.	Reagan.
Kirkland.	Smyth.
Lipscomb.	Sutton.
Loy.	Wallace of Smith.
Masterson.	Ware.
Merritt.	Williamson.
Morse.	Woodall.
Moursund.	Woodruff.

Absent—Excused.

Kinnear. McKean.

The Speaker then laid Senate bill No. 441 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	McGill.
Avis.	Minor.
Barnett.	Montgomery.
Barron.	Nabors.
Bateman.	Nicholson.
Bird.	Olsen.
Boggs.	Parish of Runnels.
Brice.	Parrish of Travis.
Brown.	Pavlica.
Conway.	Petsch.
Cornwell.	Poage.
Cummings.	Pool.
Daniel.	Pope.
Davis.	Porter.
DeBerry.	Powell.
Duvall.	Purl.
Enderby.	Ramsey.
Eickenroht.	Rawlins.
Farrar.	Renfro
Finlay.	of Angelina.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Gates.	Rogers of Shelby.
Gilbert.	Rowell.
Graves.	Runge.
Gray.	Sanders.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harman.	Shearer.
High.	Sheats.
Holder.	Shirley.
Holland.	Simmons.
Hornaday.	Sinks.
Jones.	Smith of Atascosa.
Justice.	Smith of El Paso.
Keeton.	Smith of Nueces.
Kincaid.	Smith of Smith.
King of	Snelgrove.
Throckmorton.	Stell.
Kirkland.	Stevenson.
Land.	Storey.
Loftin.	Stout.
Long.	Swain.
McCombs.	Taylor.

Teer.	Wassell.
Tillotson.	Webb.
Turner.	Wells.
Van Zandt.	Whitaker.
Veatch.	Williams
Waddell.	of Sabine.
Walker.	Williams
Wallace	of Travis.
of Freestone.	Williamson.
Wallace of Panola.	Young.

Nays—2.

Black. Kennedy.

Absent.

Acker.	Johnson.
Albritton.	Kayton.
Alexander.	Kemble.
Anderson.	Kenyon.
Bass.	King of Hopkins.
Beck.	Kirby.
Bonham.	Lipscomb.
Boon.	Loy.
Branch.	Masterson.
Cox.	Merritt.
Denman.	Morse.
Dielmann.	Moursund.
Dunlap.	Murphy.
Faulk.	Pearce.
Foster.	Reagan.
Fuchs.	Smyth.
Gibson.	Sutton.
Harding.	Wallace of Smith.
Hefley.	Ware.
Hogg.	Woodall.
Jacks.	Woodruff.

Absent—Excused.

Kinnear. McKean.

HOUSE BILL NO. 612 ON THIRD READING.

Mr. Runge moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 612 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Cummings.
Avis.	Daniel.
Barnett.	Davis.
Barron.	Duvall.
Bateman.	Enderby.
Beck.	Eickenroht.
Bird.	Farrar.
Black.	Finlay.
Boggs.	Fly.
Brice.	Forbes.
Brown.	Gates.
Conway.	Gilbert.
Cornwell.	Graves.

Gray.	Renfro of Mills.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harman.	Rowell.
High.	Runge.
Holder.	Sanders.
Holland.	Satterwhite.
Hornaday.	Shaver.
Jones.	Shearer.
Justice.	Sheats.
Keeton.	Shirley.
Kincaid.	Simmons.
King of	Sinks.
Throckmorton.	Smith of Atascosa.
Kirkland.	Smith of El Paso.
Land.	Smith of Nueces.
Loftin.	Snelgrove.
Long.	Stell.
McCombs.	Stevenson.
McGill.	Storey.
Minor.	Swain.
Montgomery.	Taylor.
Morse.	Teer.
Nabors.	Tillotson.
Nicholson.	Turner.
Olsen.	Van Zandt.
Parish of Runnels.	Veatch.
Parrish of Travis.	Waddell.
Pavlica.	Walker.
Petsch.	Wallace
Poage.	of Freestone.
Pool.	Wallace of Panola.
Pope.	Wassell.
Porter.	Webb.
Powell.	Wells.
Purl.	Williams
Ramsey.	of Travis.
Rawlins.	Williamson.
Renfro	Young.
of Angelina.	

Nays—2.

Kennedy. Stout.

Absent.

Acker.	Johnson.
Albritton.	Kayton.
Alexander.	Kemble.
Anderson.	Kenyon.
Bass.	King of Hopkins.
Bonham.	Kirby.
Boon.	Lipscomb.
Branch.	Loy.
Cox.	Masterson.
DeBerry.	Merritt.
Denman.	Moursund.
Dielmann.	Murphy.
Dunlap.	Pearce.
Faulk.	Reagan.
Foster.	Smith of Smith.
Fuchs.	Smyth.
Gibson.	Sutton.
Harding.	Wallace of Smith.
Hefley.	Ware.
Hogg.	Whitaker.
Jacks.	

Williams	Woodall.
of Sabine.	Woodruff.

Absent—Excused.

Kinnear. McKean.

The Speaker then laid House bill No. 612 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pavlica.
Barron.	Petsch.
Bateman.	Poage.
Beck.	Pool.
Bird.	Pope.
Black.	Porter.
Boggs.	Powell.
Brown.	Purl.
Conway.	Ramsey.
Cornwell.	Renfro
Cummings.	of Angelina.
Daniel.	Renfro of Mills.
Davis.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Duvall.	Rowell.
Enderby.	Runge.
Eickenroht.	Sanders.
Farrar.	Satterwhite.
Finlay.	Shaver.
Fly.	Shearer.
Forbes.	Sheats.
Gilbert.	Shirley.
Graves.	Simmons.
Gray.	Sinks.
Hall.	Smith of Atascosa.
Harman.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Snelgrove.
Holder.	Stell.
Holland.	Stevenson.
Hornaday.	Storey.
Jones.	Stout.
Justice.	Swain.
Keeton.	Taylor.
Kincaid.	Teer.
King of	Tillotson.
Throckmorton.	Turner.
Kirkland.	Van Zandt.
Land.	Veatch.
Loftin.	Waddell.
Long.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Minor.	Wallace of Panola.
Montgomery.	Wassell.
Morse.	Webb.
Nabors.	Wells.
Nicholson.	Williams
Olsen.	of Sabine.

Williams
of Travis.

Williamson.
Young.

Present—Not Voting.

Kennedy.

Absent.

Acker.	Kayton.
Albritton.	Kemble.
Alexander.	Kenyon.
Anderson.	King of Hopkins.
Bass.	Kirby.
Bonham.	Lipscomb.
Boon.	Loy.
Branch.	Masterson.
Brice.	Merritt.
Cox.	Moursund.
Denman.	Murphy.
Dielmann.	Pearce.
Dunlap.	Rawlins.
Faulk.	Reagan.
Foster.	Smith of Smith.
Fuchs.	Smyth.
Gates.	Sutton.
Gibson.	Wallace of Smith.
Hagaman.	Ware.
Harding.	Whitaker.
Hogg.	Woodall.
Jacks.	Woodruff.
Johnson.	

Absent—Excused.

Kinnear.

McKean.

HOUSE BILL NO. 449 ON SECOND READING.

On motion of Mr. Satterwhite, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment, H. B. No. 449, A bill to be entitled "An Act relating to the powers of the county board of trustees of the public schools of this State, authorizing them to reduce the area of common school districts containing one hundred and twenty-five square miles or more when such districts have no bonded indebtedness; to subdivide such districts; to revise or rearrange the boundaries of any such districts; to detach territory therefrom and add such detached portion to other adjoining common school districts or independent school districts which have heretofore been incorporated by general or special law, and repealing all laws in conflict therewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 441 ON THIRD READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 441 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pavlica.
Barron.	Petsch.
Bateman.	Poage.
Beck.	Pool.
Bird.	Pope.
Boggs.	Powell.
Brice.	Purl.
Brown.	Ramsey.
Conway.	Rawlins.
Cornwell.	Renfro of Mills.
Cummings.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Davis.	Rowell.
DeBerry.	Runge.
Duvall.	Sanders.
Enderby.	Satterwhite.
Eickenroht.	Shaver.
Farrar.	Shearer.
Finlay.	Sheats.
Fly.	Shirley.
Forbes.	Simmons.
Gates.	Sinks.
Gilbert.	Smith of Atascosa.
Graves.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Snelgrove.
Harman.	Stell.
Hefley.	Stevenson.
Holder.	Storey.
Holland.	Stout.
Hornaday.	Swain.
Jones.	Taylor.
Justice.	Teer.
Keeton.	Tillotson.
Kincaid.	Turner.
King of	Van Zandt.
Throckmorton.	Veatch.
Kirkland.	Waddell.
Land.	Walker.
Loftin.	Wallace
Long.	of Freestone.
McGill.	Wallace of Panola.
Minor.	Wassell.
Montgomery.	Webb.
Morse.	Wells.
Nabors.	Whitaker.
Nicholson.	

Williams
of Sabine.
Williams
of Travis.

Williamson.
Young.

Nays—5.

Black.
Kennedy.
McCombs.

Olsen.
Porter.

Absent.

Acker.
Albritton.
Alexander.
Anderson.
Bass.
Bonham.
Boon.
Branch.
Cox.
Denman.
Dielmann.
Dunlap.
Faulk.
Foster.
Fuchs.
Gibson.
Harding.
High.
Hogg.
Jacks.
Johnson.

Kayton.
Kemble.
Kenyon.
King of Hopkins.
Kirby.
Lipscomb.
Loy.
Masterson.
Merritt.
Moursund.
Murphy.
Pearce.
Reagan.
Renfro
of Angelina.
Smyth.
Sutton.
Wallace of Smith.
Ware.
Woodall.
Woodruff.

Absent—Excused.

Kinnear.

McKean.

The Speaker then laid House bill No. 441 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.
Avis.
Barnett.
Barron.
Bateman.
Beck.
Bird.
Black.
Boggs.
Brown.
Conway.
Cornwell.
Cummings.
Daniel.
Davis.
DeBerry.
Duvall.
Enderby.
Eickenroht.
Farrar.
Finlay.
Forbes.

Gates.
Gilbert.
Graves.
Gray.
Hagaman.
Hall.
Harman.
Hefley.
Holder.
Holland.
Hornaday.
Jones.
Justice.
Keeton.
Kincaid.
King of
Throckmorton.
Kirkland.
Land.
Loftin.
Long.
McCombs.

McGill.
Minor.
Montgomery.
Morse.
Nabors.
Nicholson.
Olsen.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Petsch.
Poage.
Pope.
Powell.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Rowell.
Runge.
Sanders.
Satterwhite.
Shaver.
Shearer.
Sheats.
Shirley.
Simmons.

Sinks.
Smith of Atascosa.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Snelgrove.
Stell.
Stevenson.
Storey.
Stout.
Swain.
Taylor.
Teer.
Tillotson.
Turner.
Van Zandt.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wassell.
Webb.
Wells.
Whitaker.
Williams
of Sabine.
Williams
of Travis.
Williamson.
Young.

Nays—2.

Kennedy.

Porter.

Present—Not Voting.

Brice.

Absent.

Acker.
Albritton.
Alexander.
Anderson.
Bass.
Bonham.
Boon.
Branch.
Cox.
Denman.
Dielmann.
Dunlap.
Faulk.
Fly.
Foster.
Fuchs.
Gibson.
Harding.
High.
Hogg.
Jacks.

Johnson.
Kayton.
Kemble.
Kenyon.
King of Hopkins.
Kirby.
Lipscomb.
Loy.
Masterson.
Merritt.
Moursund.
Murphy.
Pearce.
Reagan.
Smyth.
Sutton.
Veatch.
Wallace of Smith.
Ware.
Woodall.
Woodruff.

Absent—Excused.

Kinnear.
McKean.

Pool.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered vote by which House bill No. 488 passed finally, and reconsidered vote by which committee amendment was adopted.

And passed finally

H. B. No. 488, A bill to be entitled "An Act amending Article 350, Revised Civil Statutes of Texas, 1925, so as to authorize the Banking Commissioner of Texas to appoint State Bank Examiners, not to exceed one for each thirty banking corporations subject to examination, and declaring an emergency."

H. B. No. 282, A bill to be entitled "A Special Act applying to Dallas county only, providing for the maintenance and operation of a city-county hospital system for the city of Dallas and Dallas county, and for the appointment of a governing board, terms of office of the governing board, for the levying and collection of taxes, for the disbursement of funds, and for the government and operation for a complete general city-county hospital system, and declaring an emergency," with amendment.

S. B. No. 201, A bill to be entitled "An Act to establish a State college in Tyler, Texas, to be known as the Texas Industrial College; providing for its government, the control of its finances; defining its objectives and describing generally the nature and scope of instruction to be given and conferring upon the board of directors of said college the right of eminent domain, and declaring an emergency."

H. B. No. 572, A bill to be entitled "An Act to amend Chapter 2, Title 128, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, by adding thereto a new article to be known as Article 7622a, authorizing lands, either within or without water improvement districts, to be included within a district organized for co-operation with the United States under the Federal reclamation laws, for the purpose of the construction of irrigation works or the obtaining of a water supply therefrom, and declaring an emergency."

H. B. No. 588, A bill to be entitled "An Act making it illegal to take or

trap fur-bearing animals in Cass county, and providing a penalty, and declaring an emergency."

H. B. No. 475, A bill to be entitled "An Act to amend Article 3092 (3093) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000, as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census, and composing two or more judicial districts with courts of general jurisdiction and having no district attorney, the maximum compensation to be paid to first assistants, heads of departments and other assistants to the office of county attorney in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902b (3903b); and to amend Article 3902 (3903) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000, as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census and composing two or more judicial districts with courts of general jurisdiction, and the maximum compensation to be paid to first assistants or deputies, heads of departments named in Article 3883, except the office of county attorney, in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902c (3903c); repealing all laws and parts of laws in conflict with the amendments herewith provided for, and declaring an emergency."

H. B. No. 212, A bill to be entitled "An Act to amend Articles 6686 and 6688 of Revised Civil Statutes of 1925, which articles provide for the manner of registering motor vehicles by manufacturers or dealers, the issuance of distinctive license plates to such dealers and manufacturers, and which amendments provide for the filing with the registration officer by every dealer affidavit of occupation as dealer, indicating make of motor vehicle sold; providing motor vehicles and motorcycles shall be registered in the county of residence of owner or of main place of business; providing for two number plates, marked 'front' and 'rear'; providing that every dealer or manufacturer shall transmit notice of every sale of motor vehicle to

the Highway Department, and declaring an emergency."

H. B. No. 564, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1926, and August 31, 1927, and declaring an emergency."

H. B. No. 563, A bill to be entitled "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State government, and declaring an emergency."

H. B. No. 525, A bill to be entitled "An Act to provide for the fixing of the salary of the Secretary of the Railroad Commission of Texas by the Appropriations Committee from time to time, as the salaries of other State employes are fixed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 580, A bill to be entitled "An Act organizing and dividing the State of Texas into nine Administrative Judicial Districts, naming the counties composing each Administrative District, providing for the appointment of a presiding judge in each Administrative District; prescribing the powers and duties of each presiding judge; providing for the payment of expenses incurred in the administration of this act, and declaring an 'emergency.'"

H. B. No. 426, A bill to be entitled "An Act to provide for and regulate the method of taking or catching fish in the public fresh waters of Marion and Harrison counties, State of Texas; providing penalties for violation, and declaring an emergency."

H. B. No. 653, A bill to be entitled "An Act creating a Special Road Law for Caldwell county."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees as follows:

S. B. No. 404, to the Judiciary Committee.

S. B. No. 474, to the Committee on State Affairs.

HOUSE BILL NO. 72 WITH SENATE AMENDMENTS.

Mr. Wallace of Freestone called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 72, A bill to be entitled "An Act to amend Chapter 5, Acts of the Third Called Session of the Thirty-eighth Legislature, Article 7065, Revised Civil Statutes of 1925, by providing for an occupation tax upon wholesale dealers in gasoline equal to three cents per gallon on all such gasoline so sold by any such dealer; repealing all laws in conflict with said amendment, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

Mr. Wallace of Freestone moved that the House do not concur in the Senate amendments.

Mr. Montgomery moved that the House do concur in the Senate amendments.

Question first recurring on the motion of Mr. Montgomery, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52.

Mr. Speaker.	Ramsey.
Barnett.	Rawlins.
Brice.	Rogers of Hays.
Conway.	Rogers of Shelby.
Daniel.	Satterwhite.
Duvall.	Shaver.
Enderby.	Shearer.
Farrar.	Simmons.
Fly.	Smith of Atascosa.
Forbes.	Smith of El Paso.
Gates.	Smith of Smith.
Graves.	Snelgrove.
Gray.	Stevenson.
Hefley.	Swain.
Hogg.	Teer.
Holder.	Tillotson.
Holland.	Turner.
Keeton.	Van Zandt.
Long.	Veatch.
McCombs.	Webb.
Montgomery.	Wells.
Morse.	Whitaker.
Parrish of Travis.	Williams
Petsch.	of Sabine.
Pool.	Williams
Porter.	of Travis.
Purl.	Williamson.

Nays—55.

Avis.	Bird.
Barron.	Black.
Bateman.	Boggs.

Brown.	Nicholson.
Cornwell.	Olsen.
Cummings.	Parish of Runnels.
Davis.	Pavlica.
DeBerry.	Poage.
Eickenroht.	Pope.
Finlay.	Powell.
Hagaman.	Renfro
Hall.	of Angelina.
Harding.	Rowell.
Harman.	Runge.
High.	Sheats.
Hornaday.	Shirley.
Jones.	Sinks.
Justice.	Smith of Nueces.
Kennedy.	Stell.
Kincaid.	Storey.
King of	Stout.
Throckmorton.	Taylor.
Kirkland.	Waddell.
Land.	Walker.
Loftin.	Wallace
Loy.	of Freestone.
McGill.	Wallace of Panola.
Minor.	Wassell.
Nabors.	Young.

Absent.

Acker.	Kayton.
Albritton.	Kemble.
Alexander.	Kenyon.
Anderson.	King of Hopkins.
Bass.	Kirby.
Beck.	Lipscomb.
Bonham.	Masterson.
Boon.	Merritt.
Branch.	Moursund.
Cox.	Murphy.
Denman.	Pearce.
Dielmann.	Reagan.
Dunlap.	Renfro of Mills.
Faulk.	Sanders.
Foster.	Smyth.
Fuchs.	Sutton.
Gibson.	Wallace of Smith.
Gilbert.	Ware.
Jacks.	Woodall.
Johnson.	Woodruff.

Absent—Excused.

Kinnear.	McKean.
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Mr. Wallace of Freestone withdrew the motion that the House do not concur in the Senate amendments.

BILL ORDERED NOT PRINTED.

On motion of Mr. Van Zandt, by unanimous consent, Senate bill No. 404 was ordered not printed.

RECESS.

Mr. Holland moved that the House recess to 2 o'clock p. m. tomorrow.

Mr. Farrar moved that the House recess to 9 o'clock a. m. Monday.

Mr. Long moved that the House adjourn until 10 o'clock a. m. Monday.

Mr. Rawlins moved that the House adjourn until 2 o'clock p. m. Sunday.

Question first recurring on the motion that the House adjourn until 2 o'clock p. m. Sunday, yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—13.

DeBerry.	Rawlins.
Holder.	Rowell.
Hornaday.	Simmons.
McCombs.	Teer.
Minor.	Van Zandt.
Montgomery.	Waddell.
Nicholson.	

Nays—84.

Avis.	Olsen.
Barnett.	Parish of Runnels.
Barron.	Parrish of Travis.
Bateman.	Pavlica.
Bird.	Petsch.
Black.	Poage.
Boggs.	Pool.
Brice.	Pope.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Ramsey.
Daniel.	Renfro of Angelina.
Davis.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Eickenroht.	Runge.
Farrar.	Satterwhite.
Finlay.	Shaver.
Fly.	Shearer.
Forbes.	Sheats.
Graves.	Shirley.
Gray.	Sinks.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Snelgrove.
Hefley.	Stell.
High.	Stevenson.
Hogg.	Storey.
Holland.	Stout.
Jones.	Taylor.
Justice.	Tillotson.
Keeton.	Turner.
Kennedy.	Veatch.
Kincaid.	Walker.
King of	Wallace
Throckmorton.	of Freestone.
Kirkland.	Wallace of Panola.
Land.	Wassell.
Loftin.	Webb.
Long.	Whitaker.
Loy.	Williams of Sabine.
McGill.	Williams of Travis.
Morse.	Williamson.
Nabors.	Young.

Absent.

Acker.	Kemble.
Albritton.	Kenyon.
Alexander.	King of Hopkins.
Anderson.	Kirby.
Bass.	Lipscomb.
Beck.	Masterson.
Bonham.	Merritt.
Boon.	Moursund.
Branch.	Murphy.
Brown.	Pearce.
Cox.	Porter.
Denman.	Reagan.
Dielmann.	Renfro of Mills.
Dunlap.	Sanders.
Enderby.	Smith of Atascosa.
Faulk.	Smyth.
Foster.	Sutton.
Fuchs.	Swain.
Gates.	Wallace of Smith.
Gibson.	Ware.
Gilbert.	Wells.
Jacks.	Woodall.
Johnson.	Woodruff.
Kayton.	

Absent—Excused.

Kinnear.

McKean.

Question next recurring on the motion that the House adjourn until 10 o'clock a. m. next Monday, yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—27.

Bateman.	Pavlica.
Daniel.	Poage.
Davis.	Powell.
Eickenroht.	Rogers of Shelby.
Finlay.	Sheats.
Forbes.	Simmons.
Harding.	Stevenson.
Harman.	Storey.
Hogg.	Walker.
Jones.	Wallace
Justice.	of Freestone.
Land.	Wallace of Panola.
Loftin.	Whitaker.
Long.	Young.
Parish of Runnels.	

Nays—72.

Mr. Speaker.	DeBerry.
Avis.	Duvall.
Barnett.	Farrar.
Barron.	Fly.
Black.	Graves.
Boggs.	Gray.
Brice.	Hagaman.
Brown.	Hall.
Conway.	Hefley.
Cornwell.	Holder.
Cummings.	Holland.

Hornaday.
Keeton.
Kennedy.
King of
Throckmorton.
Kirkland.
Loy.
McCombs.
McGill.
Minor.
Montgomery.
Morse.
Nabors.
Nicholson.
Olsen.
Parrish of Travis.
Petsch.
Pool.
Pope.
Porter.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.
Rogers of Hays.
Rowell.

Runge.
Satterwhite.
Shaver.
Shearer.
Shirley.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Snelgrove.
Stell.
Stout.
Swain.
Taylor.
Teer.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Wassell.
Webb.
Wells.
Williams
of Sabine.
Williamson.

Present—Not Voting.

Bird.

Williams
of Travis.

Absent.

Acker.	Kayton.
Albritton.	Kemble.
Alexander.	Kenyon.
Anderson.	Kincaid.
Bass.	King of Hopkins.
Beck.	Kirby.
Bonham.	Lipscomb.
Boon.	Masterson.
Branch.	Merritt.
Cox.	Moursund.
Denman.	Murphy.
Dielmann.	Pearce.
Dunlap.	Reagan.
Enderby.	Renfro of Mills.
Faulk.	Sanders.
Foster.	Smith of Atascosa.
Fuchs.	Smyth.
Gates.	Sutton.
Gibson.	Wallace of Smith.
Gilbert.	Ware.
High.	Woodall.
Jacks.	Woodruff.
Johnson.	

Absent—Excused.

Kinnear.

McKean.

Question next recurring on the motion that the House recess to 2 o'clock p. m. tomorrow, yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—41.

Mr. Speaker.	Porter.
Brown.	Purl.
Cummings.	Rawlins.
DeBerry.	Rowell.
Duvall.	Runge.
Fly.	Satterwhite.
Gates.	Shearer.
Graves.	Smith of Smith.
Gray.	Stell.
Holder.	Stout.
Holland.	Taylor.
Hornaday.	Teer.
McCombs.	Tillotson.
McGill.	Turner.
Minor.	Van Zandt.
Montgomery.	Waddell.
Morse.	Wassell.
Nicholson.	Webb.
Parrish of Travis.	Wells.
Petsch.	Williamson.
Pool.	

Nays—66.

Avis.	Nabors.
Barnett.	Olsen.
Barron.	Parish of Runnels.
Bateman.	Paylica.
Black.	Poage.
Boggs.	Pope.
Brice.	Powell.
Conway.	Ramsey.
Cornwell.	Renfro
Daniel.	of Angelina.
Davis.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Shaver.
Farrar.	Sheats.
Finlay.	Shirley.
Forbes.	Simmons.
Gibson.	Sinks.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Snelgrove.
Harman.	Stevenson.
Hefley.	Storey.
High.	Swain.
Hogg.	Veatch.
Jones.	Walker.
Justice.	Wallace
Keeton.	of Freestone.
Kennedy.	Wallace of Panola.
King of	Whitaker.
Throckmorton.	Williams
Kirkland.	of Sabine.
Land.	Williams
Loftin.	of Travis.
Long.	Woodall.
Loy.	Young.

Present—Not Voting.

Bird.	Kincaid.
	Absent.
Acker.	Albritton.

Alexander.	Kinnear.
Anderson.	King of Hopkins.
Bass.	Kirby.
Beck.	Lipscomb.
Bonham.	Masterson.
Boon.	McKean.
Branch.	Merritt.
Cox.	Moursund.
Denman.	Murphy.
Dielmann.	Pearce.
Dunlap.	Reagan.
Faulk.	Renfro of Mills.
Foster.	Sanders.
Fuchs.	Smith of Atascosa.
Gilbert.	Smyth.
Jacks.	Sutton.
Johnson.	Wallace of Smith.
Kayton.	Ware.
Kemble.	Woodruff.
Kenyon.	

Mr. Tillotson moved that the House recess to 2:30 o'clock a. m. Monday.

Question then recurring on the motion by Mr. Tillotson that the House recess to 2:30 a. m. next Monday, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—40.

Mr. Speaker.	Petsch.
Brown.	Pool.
Cummings.	Porter.
DeBerry.	Purl.
Duvall.	Rawlins.
Fly.	Rowell.
Gates.	Runge.
Gibson.	Shearer.
Graves.	Smith of Smith.
Gray.	Stout.
Holder.	Taylor.
Holland.	Teer.
Hornaday.	Tillotson.
McCombs.	Turner.
McGill.	Van Zandt.
Minor.	Waddell.
Montgomery.	Wassell.
Morse.	Webb.
Nicholson.	Wells.
Parrish of Travis.	Williamson.

Nays—67.

Avis.	Enderby.
Barnett.	Eickenroht.
Barron.	Farrar.
Bateman.	Finlay.
Beck.	Forbes.
Bird.	Hagaman.
Black.	Hall.
Boggs.	Harding.
Brice.	Harman.
Conway.	Hefley.
Cornwell.	High.
Daniel.	Hogg.
Davis.	Jones.

Justice.	Shaver.
Keeton.	Sheats.
Kennedy.	Shirley.
Kincaid.	Simmons.
King of	Sinks.
Throckmorton.	Smith of El Paso.
Kirkland.	Smith of Nueces.
Land.	Snelgrove.
Loftin.	Stevenson.
Long.	Storey.
Loy.	Swain.
Nabors.	Veatch.
Olsen.	Walker.
Parish of Runnels.	Wallace
Pavlica.	of Freestone.
Poage.	Wallace of Panola.
Pope.	Whitaker.
Powell.	Williams
Ramsey.	of Sabine.
Renfro	Williams
of Angelina.	of Travis.
Rogers of Hays.	Woodall.
Rogers of Shelby.	Young.
Satterwhite.	

Present—Not Voting.

Stell.

Absent.

Acker.	Kenyon.
Albritton.	Kinnear.
Alexander.	King of Hopkins.
Anderson.	Kirby.
Bass.	Lipscomb.
Bonham.	Masterson.
Boon.	McKean.
Branch.	Merritt.
Cox.	Moursund.
Denman.	Murphy.
Dielmann.	Pearce.
Dunlap.	Reagan.
Faulk.	Renfro of Mills.
Foster.	Sanders.
Fuchs.	Smith of Atascosa.
Gilbert.	Smyth.
Jacks.	Sutton.
Johnson.	Wallace of Smith.
Kayton.	Ware.
Kemble.	Woodruff.

Question then recurring on the motion to recess to 9:30 o'clock a. m. next Monday, yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—78.

Mr. Speaker.	Conway.
Avis.	Cornwell.
Barnett.	Cummings.
Barron.	Davis.
Bateman.	DeBerry.
Black.	Enderby.
Boggs.	Eickenroht.
Brice.	Farrar.
Brown.	Finlay.

Forbes.	Renfro
Gates.	of Angelina.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hall.	Runge.
Harding.	Satterwhite.
Harman.	Shaver.
Hefley.	Sheats.
High.	Shirley.
Hogg.	Simmons.
Jones.	Sinks.
Justice.	Smith of Nueces.
Keeton.	Snelgrove.
Kennedy.	Stell.
Kincaid.	Stevenson.
King of	Storey.
Throckmorton.	Swain.
Kirkland.	Van Zandt.
Land.	Veatch.
Loftin.	Walker.
Loy.	Wallace
McGill.	of Freestone.
Minor.	Wallace of Panola.
Nabors.	Wassell.
Olsen.	Webb.
Parish of Runnels.	Wells.
Parrish of Travis.	Whitaker.
Pavlica.	Williams
Poage.	of Sabine.
Pope.	Williams
Porter.	of Travis.
Powell.	Woodall.
Ramsey.	Young.

Nays—25.

Duvall.	Pool.
Fly.	Purl.
Gibson.	Rawlins.
Graves.	Shearer.
Holder.	Smith of El Paso.
Holland.	Smith of Smith.
Hornaday.	Stout.
Long.	Taylor.
McCombs.	Teer.
Montgomery.	Tillotson.
Morse.	Turner.
Nicholson.	Williamson.
Petsch.	

Present—Not Voting.

Daniel.

Absent.

Acker.	Dunlap.
Albritton.	Faulk.
Alexander.	Foster.
Anderson.	Fuchs.
Bass.	Gilbert.
Beck.	Jacks.
Bird.	Johnson.
Bonham.	Kayton.
Boon.	Kemble.
Branch.	Kenyon.
Cox.	Kinnear.
Denman.	King of Hopkins.
Dielmann.	Kirby.

Lipscomb.	Rowell.
Masterson.	Sanders.
McKean.	Smith of Atascosa.
Merritt.	Smyth.
Moursund.	Sutton.
Murphy.	Waddell.
Pearce.	Wallace of Smith.
Reagan.	Ware.
Renfro of Mills.	Woodruff.

The House accordingly, at 10 o'clock p. m., took recess to 9:30 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Municipal and Private Corporations: House bill No. 644.

Judiciary: Senate bills Nos. 409, 476, 441.

Game and Fisheries: Senate bill No. 436.

Education: Senate bill No. 480.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 641, A bill to be entitled "An Act providing for the protection of deer in Houston county for a period of five years, and prohibiting the killing thereof within said period; prohibiting the hunting for deer with dogs thereafter; defining offenses; prescribing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 475, A bill to be entitled "An Act to amend Article 3092 (3093) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000

and less than 100,000, as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census, and composing two or more judicial districts with courts of general jurisdiction and having no district attorney, the maximum compensation to be paid to first assistants, heads of departments and other assistants to the office of county attorney in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902b (3903b); and to amend Article 3902 (3903) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000 as shown by the latest United States census, and containing a city of more than 37,500 population, as shown by said United States census and composing two or more judicial districts with courts of general jurisdiction, and the maximum compensation to be paid to first assistants or deputies, heads of departments named in Article 3883, except the office of county attorney, in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902c (3903c); repealing all laws and parts of laws in conflict with the amendments herewith provided for, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 649, A bill to be entitled "An Act creating, defining and establishing Road District No. 5 in Briscoe county, Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; providing that said district shall be authorized to issue bonds or otherwise lend its credit for said purposes to an amount not to exceed one-fourth of the assessed valuation of real property situated therein, and levy, assess and collect general ad valorem taxes in payment thereof; providing that said district shall be governed in the issuance of bonds, lending its credit, constructing, maintaining and operating its roads, and all other matters incident thereto by the

provisions of the general law, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 401, A bill to be entitled "An Act authorizing cities which now have, or may hereafter have 5000 or more inhabitants, in case of condemnation of land for laying out, establishing or enlarging parks, parkways or pleasure grounds to provide that the cost of such land should be paid for, wholly or in part, by the property owners owning property in the vicinity thereof and benefited thereby, and to fix liens against said property benefited to the extent same is specially benefited, and providing how said benefits may be assessed and collected, and providing how such assessments may be made to mature."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 346, A bill to be entitled "An Act giving permission to J. T. Adair to sue the State of Texas on a certain claim for damages for personal injuries; providing for service of citation in such suit; appropriating sufficient money from the State Treasury to pay such judgment as may be recovered by the said J. T. Adair,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 644, A bill to be entitled "An Act to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes heretofore made by the governing body of the town of Pleasanton, in Atascosa county,

Texas, which are unenforceable because same were made or adopted by resolution, motion or other informal action of order instead of by ordinance, and of all assessments of taxes or assessments of property within the limits of said town for taxation which are insufficient because of technical irregularities in the manner of preparing the books and reports thereof, and of all equalizations of such property for taxation purposes by boards of equalization acting for said town or its council which are insufficient because such equalization or reports thereof were made orally or in incomplete form, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 11, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 647, A bill to be entitled "An Act to amend Article 199, Revised Civil Statutes of 1925, so as to reform the time of holding the court in the Sixty-fourth Judicial District of the State of Texas,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 598, A bill to be entitled "An Act amending Section 3 as contained in Chapter 98 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to fix the compensation of grand jury bailiffs and providing for an allowance to compensate such bailiffs for automobile expense and upkeep, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 612, A bill to be entitled

"An Act to restore the jurisdiction of the county court at Mason county, and to repeal all laws in conflict therewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 653, A bill to be entitled "An Act creating a special road law for Caldwell county,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 365, A bill to be entitled "An Act to amend Article 4192 of the Revised Civil Statutes of 1925, providing for the making of oil and gas and other mineral leases by guardians of the estates of minors, and other persons, upon the real estate belonging to the estates of their wards, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 494, A bill to be entitled "An Act to amend Article 760 of the Code of Criminal Procedure of the State of Texas, of 1925, concerning the preparation and filing of statement of facts and bills of exception, by providing that a statement of facts in question and answer form showing all proceedings, questions, answers, objections and rulings of the court thereon, together with a statement of any evidence offered, which was offered but excluded from the jury, shall be entitled to consideration, and that where such statement of facts is prepared bills of exceptions as to matters shown by the

record need not be separately prepared and filed,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 316, "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended from time to time, so as to include Fort Bend county,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 71, "An Act to amend Chapter 172 of the Laws of the Regular Session of the Thirty-ninth Legislature, Session 5, page 388, relating to the preservation and propagation of all wild animals, wild birds and wild fowls of this State, and amending Chapter 6 of the Revised Criminal Statutes, Article 878, page 197, relating to division into zones for the time limits as to hunting game; making provisions for a change in boundary from Longview to Loraine on the Louisiana State line instead of from Longview to Texarkana, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 516, "An Act to amend Articles 5525 and 4675 of the Revised Civil Statutes of the State of Texas of 1925, by providing for the survival of a cause of action for injuries in case of death of the injured person and regulating the institution of a suit for damage arising

on account of death, and stating beneficiaries, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 517, "An Act to amend Article 2547 (2443), Chapter 2, Title 47, Revised Civil Statutes of 1925, which article provides for the execution of bonds for securing county deposits; provides who may make such bonds, the manner in which such deposits shall be secured and the amount of such bonds; and which amendment to said Article 2547 (2443) provides for the making of bonds for the securing of county deposits, declaring who may make such bonds and the amount and character of the security that may be accepted by the commissioners court to secure such deposits; provides that any banking corporation, association or individual banker selected as county depository, may, in lieu of execution of bond, pledge and deposit with the commissioners court United States bonds, certificates of indebtedness of the United States, bonds of the State of Texas, or of any county, city, town, independent school district, common school district, or bonds issued under the Federal Farm Loan Act, or road district bonds; providing for the increase or reduction of the securities so pledged or for substitution of such securities; provides for venue of suits on bonds; providing penalty for depositing or receiving deposits where sufficient security has not been pledged, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 93, "An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas, 1925, providing additional purposes for which corporations may be formed under the laws of Texas, under what shall be known as

Title & Trust Companies; providing said corporations may incorporate for one or more of the purposes stated, and that no corporation incorporated including in its corporate powers the purposes provided in the fourth subdivision of this act with a capital stock of not less than fifty thousand dollars,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 514, "An Act amending Article 544 of the Penal Code of the State of Texas, of 1925, reducing the minimum penalty for embezzling or misapplying the funds of any State bank or bank and trust company incorporated under the laws of Texas, from five years to two years, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 504, "An Act amending Article 517, Revised Civil Statutes of Texas of 1925, and providing that no attorney's fee shall be collectible on notes or other evidence of debt issued by a State bank in the hands of the commissioner for liquidation, where such notes or other evidence of debt are placed with an attorney for collection within thirty days after closing of such bank, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 532, "An Act prohibiting the sale by any officer, director or employee of a State bank of any note, security or property to such bank without the written consent of the board of directors,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 533, "An Act prohibiting any person from being president and cashier, at the same time, in any bank, organized and operating under the laws of this State,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 534, "An Act to authorize the admission in evidence, in suits to which the Banking Commissioner of Texas may be a party, of all books, records, papers and documents, or certified copies thereof, of insolvent banks in course of liquidation by the Banking Commissioner; and providing that such originals or certified copies shall be prima facie evidence of the facts therein contained, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 546, "An Act providing for and regulating the amendment of charters of State banks and State bank and trust companies, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 513, "An Act to amend Ar-

ticle 455, Revised Civil Statutes of Texas, and eliminating therefrom the provision that stockholders who are depositors of insolvent banks shall be protected for only that portion of their deposits over and above their liability as stockholders; and providing for the venue of suits to enforce stockholders' liability, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 511, "An Act to amend Article 373, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, eliminating therefrom the words 'and a receiver or other agency appointed for the liquidation of its affairs and the payment of its debts,' and substituting therefor the following: 'and taken over by the Banking Commissioner of Texas for the purpose of liquidation, as provided by law,' and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 512, "An Act requiring all State banks to charge off annually for depreciation a percentage of cost of furniture and fixtures and regulating the carrying of bank buildings as an asset, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,

Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 510, "An Act making it a felony for any director, officer or employe of a State bank or bank and trust company, incorporated under the laws of this State, who is, or may be actively

engaged in the handling of the funds of any bank or bank and trust company and who is, or may be, receiving a yearly or monthly salary from said bank or bank and trust company, to enter into any contract with a bucket shop, as defined in Article 659 of the Penal Code of Texas, or to place any order with a bucket shop, as thus defined, for a margin contract or any contract denounced by Article 658 and by Article 661 of the Penal Code of Texas; fixing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 536, "An Act to relieve the Banking Commissioner of Texas and the State Banking Board from giving cost bonds in trial courts, and cost bonds and supersedeas bonds on appeal; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 507, "An Act repealing Article 372, Revised Civil Statutes of Texas, 1925, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 506, "An Act amending Article 497, Revised Civil Statutes of Texas, 1925, and empowering the Banking Commissioner to require from State banks any statement concerning the affairs of such corporations as he may deem necessary; providing a penalty; fixing the venue of suits, and the dispo-

sition of penalties collected, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 505, "An Act prohibiting the Banking Commissioner and his employes from purchasing, directly or indirectly, any asset belonging to a State bank in the hands of the commissioner for liquidation; providing penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 503, "An Act relieving State banks, in the hands of the Banking Commissioner for liquidation, from the payment of franchise taxes; providing that the failure of the commissioner to pay franchise taxes for any such bank shall not operate to revoke or forfeit the charter of such corporation; eliminating the filing with the Secretary of State of any report for the franchise tax; repealing all laws in conflict, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 501, "An Act requiring the Banking Commissioner of Texas to file a final report of all liquidation; providing that upon approval of such final report the charter of each such bank shall be forfeited; and further providing for the filing of certificates of such forfeiture, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 502, "An Act requiring di-
rectors of State banks, bank and trust
companies and banking corporations, or-
ganized and doing business under the
laws of this State, to be elected an-
nually; and providing a penalty, and de-
claring an emergency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 500, "An Act to repeal Ar-
ticle 348, Revised Civil Statutes of
Texas of 1925, and declaring an emer-
gency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 487, "An Act amending Ar-
ticle 351, Revised Civil Statutes of
Texas, 1925, changing and increasing the
compensation of Field Examiners for
State banks and banking corporations,
and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 485, "An Act abolishing the
office of district attorney in the Second
Judicial District of Texas; fixing the
duties of the county attorneys of said
district, and fixing their compensation;
repealing all laws or parts of laws in
conflict herewith, and providing when
said act shall be effective,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

THIRTY-SEVENTH DAY.

(Continued.)

(Monday, March 14, 1927.)

The House met at 9:30 o'clock a. m.
and was called to order by Speaker
Bobbitt.

Mr. Williamson moved a call of the
House for the purpose of maintaining a
quorum until 12 o'clock m. today, and
the motion prevailed.

The Speaker then directed the Door-
keeper to close the main entrance to
the Hall and instructed the Sergeant-
at-Arms to lock all other doors leading
from the Hall, and stated that no mem-
ber would be permitted to leave the
Hall without written permission from
the Speaker.

On motion of Mr. Sheats, the Ser-
geant-at-Arms was instructed to bring
in all absent members within the city
of Austin who are not ill.

HOUSE BILL NO. 282 WITH SENATE AMENDMENTS.

Mr. Holder called up from the Speak-
er's table, with Senate amendments, for
consideration of the amendments,

H. B. No. 282, A bill to be entitled
"A special act applying to Dallas county
only, providing for the maintenance and
operation of a city-county hospital sys-
tem for the city of Dallas and Dallas
county, and for the appointment of a
governing board, terms of office of the
governing board, for the levying and
collection of taxes, for the disbursement
of funds, and for the government and
operation of a complete general city,
county hospital system, and declaring an
emergency."

The Speaker laid the bill before the
House and the Senate amendments were
read.

On motion of Mr. Holder, the House
concurred in the Senate amendments.

PROVIDING FOR COMMITTEE TO INVESTIGATE TIDAL WATER FISHING.

Mr. Swain offered the following reso-
lution:

Whereas, There has been much legis-
lation introduced at the Regular Ses-